

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 21, 2013 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Russell Hamley at 7:00 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Justin Ray
Council Member, Rod Erskine
Council Member, Harry Beckwith III, PE
Council Member, Sheri Sheppard
Council Member, Jill Klein

City Manager, Mike Castro
City Secretary, Lorri Coody
City Attorney, Bobby Gervais

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks and Recreation.

The following City of Jersey Village Planning and Zoning Commission members were present:

Chairman, Debra Mergel
Tom Eustace, Commissioner
Joyce Berube, Commissioner

Michael O'Neal, Commissioner
Barbara Freeman, Commissioner
George Ohler, Commissioner

Commissioner Rick Faircloth was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer by: Michael Brittain, Chaplain, American Legion Post #324
2. Pledge by: Jimmy Baughman, Commander of American Legion Post #324

C. JOINT PUBLIC HEARING

1. **Conduct Joint Public Hearing with the Planning and Zoning Commission on the proposal to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations.**

Mayor Hamley called the item and Chairman Debra Mergel announced a quorum for the Planning and Zoning Commission. Mayor Hamley opened the Joint Public Hearing at 7:02 p.m., stating that the purpose of the meeting was to give those in attendance the right to speak and be heard concerning the proposal to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations.

After the opening statement, Mayor Hamley reported that a written letter concerning the joint public hearing had been received from Rick Faircloth. Mayor Hamley asked City Secretary Coody to read the letter aloud for the record.

With no one signing up to speak at the hearing, Mayor Hamley and Chairman Mergel closed the joint public hearing at 7:04 p.m., and the Planning and Zoning Commission

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retired from the City Council meeting at 7:04 p.m. to conduct its posted meeting agenda and prepare the final report in connection with this joint public hearing.

D. PRESENTATIONS

- 1. Presentation of Police Department Employee of the Fourth Quarter and 2012 Employee of the Year Award by Jimmy Baughman Commander and Howard Mead, Past Commander of American Legion Post #324.**

Jimmy Baughman, Commander, and Howard Mead, Past Commander of American Legion Post #324, along with Mayor Hamley, presented the Police Department Employee of the Fourth Quarter, 2012 award to Joyce Underhill and the 2012 Employee of the Year award to Officer Bobby Ferguson.

- 2. Special Presentation by Jimmy Baughman, Commander of American Legion Post #324.**

Commander Jimmy Baughman announced the naming of Jersey Village American Legion Post 324 as the Jeremy E. Ray Post 324, in honor of Army First Lieutenant Jeremy Ray. He stated that it is believed to be the first time in Texas a Post has been named in honor of an Iraqi veteran.

In attendance for the announcement were Lt. Ray's parents, Randy and Debbie Ray and his brother, Jersey Village Councilman Justin Ray. They were presented with a copy of the Post's Resolution renaming the Post and they viewed the reissued Post Charter formally recognizing the new Post name.

Lt. Ray served in the United States Army, 1 5t Squadron, 3rd Armored Cavalry Regiment. Before his service, he grew up in Jersey Village, earning the rank of Eagle Scout in Boy Scout Troop 747 at Jersey Village Baptist Church and later served as a junior member of the Jersey Village Fire Department before graduating from Jersey Village High School. He went on to graduate from Texas A&M University in 2006 and entered active duty in the Army. Lt. Ray was killed December 20, 2007 while serving in Kanaan, Iraq.

E. CITIZENS COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their presentation to the City Council.

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Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 937-0408 – Mr. Maloy thanked the Mayor and Council Members for speaking at the recent TXDOT public hearings. He also thanked the City Manager and all the Jersey Village residents who attended these meetings.

Bill Schuster, 8 Peachtree Ct., Jersey Village, Texas (832) 407-9011 – Mr. Schuster told Council that he is the President of his Home Owner's Association for the Lakes of Jersey Village. He stated that they are having a problem with the installation of driveways on new homes being built in their subdivision. He said that the City is requiring that the driveways of these new homes be built with paving stones. The older homes in the neighborhood were not required to have these paving stones. Mr. Schuster is concerned that these homes have a different look and is requesting the City's help with this driveway issue.

Robert Patin, 16013 Country Club Ct., Jersey Village, Texas (713) 466-8002 – Mr. Patin spoke to Council concerning the method in which the City calculates its sewer billing rates. He told Council that a resident's annual billing rate is composed of an average usage for the months of November, December, and January. He complained that this average billing method is not fair because of any number of reasons, but more specifically because in drought years a resident could use quite a bit of water during these months that they would not normally use, but they would have to pay at that rate all year long under the current billing method. Mr. Patin gave information about his own water billing experience and complained that he has paid too much for his sewer bill under this system. He would like the billing method to be reviewed and he would like Council to consider giving him a refund for any monies he has overpaid.

F. CITY MANAGER'S REPORT

City Manager, Mike Castro gave his report as follows:

1. **Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, December 2012 Quarterly Investment Report, and Budget Projections as of December 2012**
2. **Open Records Request**
3. **Fire Departmental Report and Communication Division's Monthly Report**
4. **Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, Crime Prevention Unit Monthly Report, and Staffing/Recruitment Report**
5. **Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations Within Residential Areas Report, and Court Proceeds Comparison Report**
6. **Public Works Departmental Report, Phase 3 CIP Project Breakdown and Phase 3 Project Update**
7. **Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
8. **Report from Code Enforcement**
9. **Capital Improvements Projects Report**

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G. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on December 17, 2012.**
- 3. Consider Resolution No. 2013-02, authorizing an agreement with Jones and Carter, Inc. for engineering services related to the Storm Water Management Program.**

RESOLUTION NO. 2013-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH JONES AND CARTER, INC. FOR ENGINEERING SERVICES RELATING TO THE STORM WATER MANAGEMENT PROGRAM.

With Item No. 2 being removed from the Consent Agenda, Council Member Beckwith moved to approve items numbered 1 and 3 on the Consent Agenda. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

Before moving on to the Regular Agenda, Mayor Hamley called item 2 from the Consent Agenda for discussion as follows:

- 2. Consider Resolution No. 2013-01, declaring surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

Technology Director, Bob Blevins introduced the item. He told Council that City staff is requesting City Council to declare surplus equipment and authorize the City Manager to dispose of the equipment listed in the agenda packet in accordance with a method approved by the city's administrative procedures. Mr. Blevins told Council that approving the Resolution will accomplish the disposition of the surplus equipment.

Council engaged in discussion about the City's administrative policies for disposing of surplus equipment. Mr. Blevins explained that the procedures provide for the following methods:

- a. public auction;

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- b. trade-in on new equipment;
- c. sealed bids;
- d. destruction as unsalvageable; or
- e. negotiated price by Council.

Council asked to receive a copy of the policy via email after the meeting. With no further discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-01, declaring surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2013-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,
TEXAS, DECLARING SURPLUS EQUIPMENT AND AUTHORIZING
DISPOSITION BY THE CITY MANAGER IN ACCORDANCE WITH THE CITY'S
ADMINISTRATIVE PROCEDURES.

Mayor Hamley called the next items out of order as follows:

I. CLOSE THE REGULAR SESSION

Mayor Hamley closed the Regular Session at 7:29 p.m. to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney.

J. EXECUTIVE SESSION

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551 to receive an update regarding city efforts to mitigate the effects of U.S. 290 expansion project. *Charles Irvine, Blackburn Carter, City Attorney***

K. ADJOURN EXECUTIVE SESSION

Mayor Hamley adjourned the Executive Session at 8:03 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

H. REGULAR AGENDA

- 1. Consider Resolution No. 2013-03, approving and authorizing the amendment and restatement of a Lease-Purchase Agreement with Motorola Solutions, Inc. for the Lease-Purchase of certain equipment from Motorola Solutions, Inc.; providing that**

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the City's obligations under such Agreement shall be subject to annual appropriation or renewal by the City Council and the City's obligations under such Agreement shall not constitute general obligations of the City or indebtedness under the Constitution or Laws of the State of Texas.

Isabel Kato, Director of Finance, introduced the item. Background information is as follows: The City of Jersey Village and Motorola entered into an Equipment Lease-Purchase Agreement No. 23334 dated September 17, 2012, wherein the City agreed to make payments for the lease and ultimate purchase of the radio communications equipment and Motorola agreed to provide the Equipment to the City and finance the cost of the Equipment.

As permitted by the Lease-Purchase Agreement, Motorola assigned its right, title and interest in the Lease-Purchase Agreement to a third party, but retained the right to act with respect to amendments to the Lease-Purchase Agreement.

Interest payments made to the third party by the City on the Lease-Purchase Agreement are currently treated as taxable income under the Internal Revenue Code of 1986 (the "Code"). The City has not, to date, made any payments under the Lease-Purchase Agreement.

The City, Motorola, and the third party have determined to:

- a) capitalize all interest accrued to date on the Lease-Purchase Agreement;
- b) revise the total principal amount of the Lease-Purchase Agreement;
- c) revise the interest rate to be paid under the Lease-Purchase Agreement to reflect a tax-exempt rate; and
- d) amend and restate the Lease-Purchase Agreement to achieve these goals, which will result in a "deemed refunding" under the provisions of the Code.

Interest payments made to the third party by the City on the Lease-Purchase Agreement are eligible in this year to be treated as "qualified tax-exempt obligations for financial institutions" under the Code. City Council, in determining that the amendment of the Lease-Purchase Agreement is in the best interest of the City, will decrease interest payments which will result in a cost savings to the City.

With limited discussion, Council Member Beckwith moved to approve Resolution No. 2013-03, approving and authorizing the amendment and restatement of a Lease-Purchase Agreement with Motorola Solutions, Inc. for the Lease-Purchase of certain equipment from Motorola Solutions, Inc.; providing that the City's obligations under such Agreement shall be subject to annual appropriation or renewal by the City Council and the City's obligations under such Agreement shall not constitute general obligations of the City or indebtedness under the Constitution or Laws of the State of Texas. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

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Nays: None

The motion carried.

RESOLUTION NO. 2013-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING AND AUTHORIZING THE AMENDMENT AND RESTATEMENT OF A LEASE-PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR THE LEASE-PURCHASE OF CERTAIN EQUIPMENT FROM MOTOROLA SOLUTIONS, INC.; PROVIDING THAT THE CITY'S OBLIGATIONS UNDER SUCH AGREEMENT SHALL BE SUBJECT TO ANNUAL APPROPRIATION OR RENEWAL BY THE CITY COUNCIL AS SET FORTH THEREIN AND THE CITY'S OBLIGATIONS UNDER SUCH AGREEMENT SHALL NOT CONSTITUTE GENERAL OBLIGATIONS OF THE CITY OR INDEBTEDNESS UNDER THE CONSTITUTION OR LAWS OF THE STATE OF TEXAS.

2. **Consider Resolution No. 2013-04, authorizing the City Manager to execute all necessary documents to engage the firm Gerald A. Teel Company, Inc. for the provision of real estate appraisal services relating to U.S. 290 utility easement acquisition.**

City Manager, Mike Castro introduced the item, stating that items numbered 2 and 3 are related and that item No. 2 is subject to the budget authorization outlined in item No. 3. He explained that in order to acquire utility easement parcels, the city must conduct a formal appraisal of the properties in question. He presented Council with a contract that will cover the appraisal of all parcels required by the city to relocate its water and sewer infrastructure prior to TxDOT reconstruction of U.S. 290 through Segment 6, within the City of Jersey Village.

Appraisal services are considered a professional service; hence, a formal bid process is not appropriate. The recommended firm has experience working with TxDOT, our city engineer, and our city attorney. The proposal amount is in line with previous appraisal solicitations received by the city. The city attorney has reviewed the contract document and finds it legally sufficient.

Council engaged in discussion about how the City's appraisals will work in conjunction with those being done by TxDOT. City Manager Castro explained that TxDOT will appraise the property up to and including all that they will need to complete the project. Since the City will come in after the fact for its easements, the property will already have been devalued. Nonetheless, the City will work with TxDOT during this process.

With no further discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-04, authorizing the City Manager to execute all necessary documents to engage the firm of Gerald A. Teel Company, Inc. for the provision of Real Estate Appraisal Services relating to U.S. 290 utility easement acquisition, subject to

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budget authorization. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2013-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ENGAGE THE FIRM GERALD A. TEEL COMPANY, INC. FOR THE PROVISION OF REAL ESTATE APPRAISAL SERVICES RELATING TO US 290 UTILITY EASEMENT ACQUISITIONS.

3. **Consider Ordinance No. 2013-01, amending the utility fund budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013 in the amount of \$22,000, to cover costs associated with retaining a consultant to appraise real property.**

City Manager, Mike Castro introduced the item. He told Council that this Ordinance is necessary to appropriate the money to cover the cost associated with retaining the consultant authorized in the previous item.

With no discussion on the matter, Council Member Beckwith moved to approve Ordinance No. 2013-01, amending the utility fund budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013 in the amount of \$22,000, to cover costs associated with retaining a consultant to appraise real property. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2013-01

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013 IN THE AMOUNT OF \$22,000, TO COVER COST ASSOCIATED WITH RETAINING A CONSULTANT TO APPRAISE REAL PROPERTY, AND PROVIDING FOR SEVERABILITY.

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- 4. Receive update on the project with Harris County Flood Control District for the construction of a public hike and bike trail related to the 43-acre detention facility located in the City of Jersey Village, Texas.**

Michael Brown, Parks and Recreation Director, introduced the item. Background information is as follows: In 2007, City Council appointed the Parks Review Committee to review all the city parks and make a recommendation on the amenities that should be placed in all city parks, including the 43 acre detention facility. The Parks Review Committee recommended the installation of a 6 ft. wide crushed granite trail.

As of June 13, 2012 SERCO Construction was given the go ahead to start with the excavation of the detention pond and the construction of the 6ft wide crushed granite trail, approximately 1.5 miles long, with a loop on each end to make the turnaround at the spillway due to the fact that it will not cross the spillway (see Project Plans). The spillway will be made of concrete, will be gravity flow and the main channel will have crushed concrete and will have no control structure.

At this time Harris County Flood Control District is at about 60% finished with this project. The jogging trail, being one of the last items on this project schedule, is expected to be completed sometime in August depending on the weather.

Council asked for a clarification about the project funds. Mr. Brown explained that the City paid the County \$500,000 to build the trail. If there are any funds left once the project is complete, the funds will be returned to the City. He further explained that current estimates are that the cost of the trail will be approximately \$200,000, leaving a refund of \$300,000 to the City.

- 5. Discuss and receive presentation from Clear Channel Communications regarding electronic billboards.**

Council Member Beckwith introduced the item. He told Council that he recently attended a Harris County Mayor's and Council Member's Meeting and heard positive reviews on how electronic billboards have helped cities. As a result, he felt it was time to revisit this issue in order to determine the benefits available to Jersey Village. He wants to review what we have and compare it to what we could have.

Council Member Beckwith introduced Lee Vela with Clear Channel Communications who gave a presentation on Clear Channel Outdoor digital advertising. Mr. Vela began the presentation by explaining the meaning of "digital" and "digital units." He then explained the state regulations for digital billboards, citing TXDOT rules for these boards. Mr. Vela spoke to the dimming capability of the signs and outlined the foot candle standards. He also provided a list of 21 cities near Jersey Village that are currently working with his company to install these type signs. Mr. Vela went on to explain the Gulf Coast Emergency Communications Network and the endorsements this

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network has received from the Counties of Harris, Fort Bend, Galveston, and Brazoria. Mr. Vela's presentation included information on:

- Digital Billboards Safety Studies and Public Perception;
- Digital Billboards and Crime Fighting Messages; and
- Local Public Service Announcements.

Mr. Vela ended his presentation with a proposal for the Jersey Village as follows:

- a. Clear Channel proposes to convert an existing structure currently located on Highway 290 to digital technology.
- b. Clear Channel Outdoor proposes to remove two square feet of existing billboard space to be replaced with one square foot of digital space.
- c. A total of 2,688 square feet of existing billboard space could be removed to convert one structure. That equates to about seven billboards – or 25% of the existing billboards to be removed.
- d. The City of Jersey Village would have the option to receive a minimum of four weeks per year for promotional messages—35,000 messages.
- e. Clear Channel proposes the replacement existing city message boards with digital technology for city messaging to be controlled and operated by the city.
- f. Clear Channel will provide emergency messaging for the city when needed. Clear Channel offers a public/private partnership to provide this service at no cost to the city.
- g. Messaging would be in cooperation with the city's Office of Emergency Management and/or Police and Fire Departments.

Upon concluding Mr. Vela's presentation, Council engaged in discussion. There were questions about the sign lighting and how 0.3 foot candles of illumination compares to the illumination of a standard billboard at night. Mr. Vela stated that it is hard to make this comparison as off-premise signs are regulated differently than on-premise signs. Some Council Members stated that they have seen these signs around the city and state quite a bit and felt that unless you see them actually change you are not sure that they are not a "standard billboard" as opposed to a "digital billboard." The conclusion was that the signs do not appear to affect the flow of traffic.

Council asked questions about the proposal. Specifically there was discussion about the 25% removal requirement. Council also discussed the requirement that the digital billboards be static. Mr. Vela told Council that this requirement is just part of the act permitting this type of advertising.

Mr. Vela was asked about the 35,000 message proposal. He explained that this applies to 35,000 messages annually. Council then engaged in discussion about the current sign ordinance regulating billboards and the non-conforming use clause. Basically this clause states that once the billboards are gone, they are gone. Also there was concern by some

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Council Members that just because digital signs are good for another City does not make them good for the City of Jersey Village.

In connection with the City's current non-conforming use requirement for billboards, it was pointed out that the probability of these structures "falling down" would be a rare occurrence. Consequently, consideration should be given to the proposal being made by Clear Channel.

Council again asked about how the lighting of these signs compares to standard billboard lighting at night.

The discussion concluded with a lengthy discussion about the proposal, and what it means to the City of Jersey Village. Council discussed both the pros and cons of the proposal. No action was taken on this item.

6. Consider Resolution No. 2013-05, receiving the Planning and Zoning Commission's Final Report as it relates to amending the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations.

Debra Mergel, Planning and Zoning Chairman introduced the item. She told Council that the Planning and Zoning Commission has previously met on November 19 and November 28, 2012 and in its preliminary report recommended amendments to the City's zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations.

The preliminary report was submitted to the Jersey Village City Council at its December 17, 2012 meeting. The report was reviewed and the City Council ordered a Joint Public Hearing for January 21, 2013.

On January 21, 2013, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public meeting, which gave the public an opportunity to make comments concerning the proposed amendment.

The Planning and Zoning Commission, after duly considering all the information before it including that gathered at the Joint Public Hearing with City Council on January 21, 2013 at 7:00 p.m., reports that it has tabled the request for amending the Code to include Child Day-Care Operations until staff can provide additional input regarding which zoning districts in the City would be appropriate for locating such facilities.

With limited discussion on the matter, Council Member Ray moved to TABLE Resolution No. 2013-05, receiving the Planning and Zoning Commission's Final Report as it relates to amending the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations. Council Member Sheppard seconded the motion. The vote follows:

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Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion was TABLED.

RESOLUTION NO. 2013-05 - TABLED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT AS IT RELATES TO AMENDING THE ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A SUBSECTION (B) TO INCLUDE CHILD DAY-CARE OPERATIONS.

7. **Consider Ordinance No. 2013-02, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, the Jersey Village Development Code, by adding to Section 14-5 new definitions of "child-care center", "child day-care operations," and "school-age program center"; amending Chapter 14. Building and Development, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include "child day-care operations" as a permitted use in District F, with a specific use permit; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

Having received no final report from the Planning and Zoning Commission, Council Member Beckwith moved to TABLE Ordinance No. 2013-02, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, the Jersey Village Development Code, by adding to Section 14-5 new definitions of "child-care center", "child day-care operations," and "school-age program center"; amending Chapter 14. Building and Development, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include "child day-care operations" as a permitted use in District F, with a specific use permit; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion was TABLED.

ORDINANCE NO. 2013-02 - TABLED

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY ADDING TO SECTION 14-5 NEW DEFINITIONS OF "CHILD-CARE CENTER", "CHILD DAY-CARE OPERATIONS," AND "SCHOOL-AGE PROGRAM CENTER"; AMENDING CHAPTER 14. BUILDING AND

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DEVELOPMENT, ARTICLE IV, SECTION 14-105(a)(21) BY ADDING A SUBSECTION (b) TO INCLUDE “CHILD DAY-CARE OPERATIONS” AS A PERMITTED USE IN DISTRICT F, WITH A SPECIFIC USE PERMIT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

L. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Council Member Beckwith: Council Member Beckwith told of an accident he encountered on Senate Avenue about a week ago. He stated that upon seeing the accident he called dispatch to report the accident and within a very short time, fire and police were on the scene. He thanked both departments for a job well done.

Council Member Erskine: Council Member Erskine thanked the American Legion for recognizing the police department and awarding officers for their good work, and for recognizing the sacrifice of Jeremy E. Ray.

Council Member Ray: Council Member Ray also thanked the American Legion for honoring his brother in naming their post as the Jeremy E. Ray Post 324.

Council Member Sheppard: Council Member Sheppard congratulated Joyce Underhill on receiving her award from the American Legion. She stated that she has witnessed Joyce at work when she attended the Citizen’s Police Academy, a Program for which Joyce is largely responsible.

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Council Member Klein: Council Member Klein also congratulated Joyce Underhill on receiving the Officer of the 4th Quarter Award. She also thanked staff for all their hard work.

Mayor Hamley: Mayor Hamley stated that he writes a monthly new article that goes out with the water bills. He opened up this avenue of communication to the members of Council should they desire to write an article in his stead.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:48 p.m.

Lorri Coody, City Secretary