

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON NOVEMBER 18, 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 Rod Erskine at 7:02 p.m. with the following present:

Mayor, Rod Erskine	City Manager, Mike Castro, PhD
Council Member, Justin Ray	Asst. City Secretary, Courtney Rutherford
Council Member, Harry Beckwith III, PE	City Attorney, Bobby Gervais
Council Member, Sheri Sheppard	
Council Member, Jill Klein	

Council Member, Sandra Joachim, and City Secretary, Lorri Coody, were not present at this meeting.

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by Council Member Sheri Sheppard.

C. COUNCIL MEMBERSHIP ITEMS

1. Consider Resolution No. 2013-78, accepting the resignation of Council Member Sandra Joachim, and declaring a vacancy of City Councilmember, Place 2.

Bobby Gervais, City Attorney, introduced the item. He stated that on October 21, 2013, Councilmember Joachim submitted a letter to the city resigning from the city council. Consistent with section 2.03 of The City Charter, the Council should deem the position of Councilmember, Place 2, as vacant.

With no discussion, Council Member Ray moved to approve Resolution No. 2013-78, accepting the resignation of Council Member Sandra Joachim, and declaring a vacancy of City Councilmember, Place 2. Council Member Klein seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING THE RESIGNATION OF COUNCILMEMBER SANDRA JOACHIM, AND DECLARING A VACANCY OF CITY COUNCILMEMBER PLACE 2.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

2. Discussion and possible action concerning the appointment steps and procedure desired by City Council to fill the vacancy of Councilmember, Place 2 and possible directions to staff.

Bobby Gervais, City Attorney, introduced the item. He explained that this item was placed on the agenda for Council to discuss the steps and procedures desired by Council to fill the vacancy of Councilmember, Place 2 and to approve a preferred method, giving direction to staff, if needed.

Council engaged in discussion regarding the procedures for the appointment process to fill the vacancy. The Council agreed that since the resignation was just accepted, the City should post the vacancy and act on the appointment at a later date. Council directed staff to post notice in the January issue of the JV Star, on the City website, on the City marquees and to consider a possible flyer in the December water bill. They would then like for staff to bring all applications to the January meeting and ask each candidate to attend the January meeting. Each candidate will be given 3-5 minutes to state why he or she is interested in being on Council and state their qualifications.

With no further discussion, Council Member Ray moved to direct staff to post for applicants as discussed and bring back applications to the January council meeting to fill the vacancy of City Council member, Place 2. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

3. Consider Resolution No. 2013-79, making an appointment to fill the vacancy of City Councilmember, Place 2; acknowledging that the position shall be filled by election at the next city general election for the remaining year of the unexpired term.

4. If necessary, Administer Oath of Office to Appointed Official.

Given the actions taken in item C2 on this agenda, Mayor Erskine called items C3 and C4 together. Council Member Klein moved to table Resolution No. 2013-79, making an appointment to fill the vacancy of City Councilmember, Place 2; acknowledging that the position shall be filled by election at the next city general election for the remaining year of the unexpired term, as well as item C4 administering Oath of Office. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

RESOLUTION NO. 2013-79 - TABLED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, MAKING AN APPOINTMENT TO FILL THE VACANCY OF CITY COUNCILMEMBER, PLACE 2; ACKNOWLEDGING THAT THE POSITION SHALL BE FILLED BY ELECTION AT THE NEXT CITY GENERAL ELECTION FOR THE REMAINING YEAR OF THE UNEXPIRED TERM.

D. 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.

Nasir H. Malik, 6119 Cypresswood Drive, Spring, TX 77329 (832) 717-3355 – Mr. Nasir H. Malik appeared before Council and announced his candidacy for Justice of the Peace, Precinct Four, Place Two. Mr. Malik distributed a flyer to Council.

Mark Maloy, 7803 Hamilton Circle, Jersey Village (713) 461-1430 – Mr. Maloy spoke to the issue of noise abatement regarding US Hwy 290. Mr. Maloy also had a handout that he distributed to Council.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to Council about digital billboards. Mr. Fields gave the Assistant City Secretary a petition with 8 signatures against digital billboards.

Dorothy Starkey, 16206 St. Helier, Jersey Village, Texas – Ms. Starkey spoke to Council regarding CenterPoint Energy and the power outages in Jersey Village.

Dale Conger, 16202 St. Helier, Jersey Village, Texas – Mr. Conger also spoke to Council regarding the power outages.

Jerry Fowler, 16205 St. Helier, Jersey Village, Texas – Mr. Fowler also spoke to Council about his frustrations regarding the power outages in Jersey Village.

E. CITY MANAGER'S REPORT

City Manager, Mike Castro, gave his monthly report as follows:

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, and Budget Projections as of October 2013**
- 2. Open Records Request**
- 3. Fire Departmental Report and Communication Division's Monthly Report**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

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**

City Manager, Mike Castro stated that the fire department has just responded to a house fire on Leeds Lane. Fire Chief Mark Bitz stated that it was an accidental fire and the fire department saved 12 animals.

Council Member Sheppard asked for an update regarding the Harris County 43 Acre Detention Pond Project. Parks and Recreation Director, Michael Brown, reported that the jogging trail is 50% complete. He stated that the contractor ran into some problems getting the crushed granite, but it should be complete in approximately 3 weeks.

F. 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 October 21, 2013.**
2. **Reconsider approval of the minutes of the meeting held on September 16, 2013 as corrected.**
3. **Consider Resolution No. 2013-80, casting its ballot for the election of Ed Heathcott to the Board of Directors of the Harris County Appraisal District.**

RESOLUTION NO. 2013-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CASTING ITS BALLOT FOR THE ELECTION OF A PERSON TO THE BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT.

4. **Consider Resolution No. 2013-81, approving the application of the Municipal Court Clerk's appointment of Deputy Clerk.**

RESOLUTION NO. 2013-81

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE MUNICIPAL COURT CLERK'S APPLICATION FOR APPOINTMENT OF DEPUTY CLERK.

5. **Consider Resolution No. 2013-82, designating the Police Chief as Acting City Manager during temporary absences or disabilities of the City Manager.**

RESOLUTION NO. 2013-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING THE POLICE CHIEF AS ACTING CITY MANAGER DURING PERIODS OF TEMPORARY ABSENCE OR DISABILITY OF THE CITY MANAGER.

6. **Consider Resolution No. 2013-83, authorizing the City Manager to execute the agreement for employees to participate in a 457 Deferred Compensation plan and Roth Individual Retirement Account with ICMA-RC.**

RESOLUTION NO. 2013-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR EMPLOYEES TO PARTICIPATE IN A 457 DEFERRED COMPENSATION PLAN WITH ICMA-RC

7. **Consider Resolution No. 2013-84, receiving the Written Recommendation Report from the Building Board of Adjustment and Appeals pertaining to recommended changes for Chapter 14, Article XIII, Building Code, Division 1, Section 14-332(b); Add-on construction.**

RESOLUTION NO. 2013-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE WRITTEN RECOMMENDATION REPORT FROM THE BUILDING BOARD OF ADJUSTMENT AND APPEALS PERTAINING TO PARAMETERS FOR PROPOSED ADD ON CONSTRUCTION CODE CHANGES.

8. **Consider Ordinance No. 2013-35, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by amending Section 14-332(b) concerning the parameters for proposed add-on construction; providing a severability clause; providing for repeal; providing for penalty; and providing an effective date.**

ORDINANCE NO. 2013-35

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 14, BUILDING AND DEVELOPMENT, BY AMENDING SECTION 14-332(B) OF ARTICLE XIII TO PROVIDE FOR CHANGES RELATED TO ADD-ON CONSTRUCTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING FOR PENALTY; AND PROVIDING AN EFFECTIVE DATE.

- 10. Consider Ordinance No. 2013-37, amending the General Fund Budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014, to cover cost associated with the replacement of damaged ornamental street lights.**

ORDINANCE NO. 2013-37

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014, TO COVER COST ASSOCIATED WITH THE REPLACEMENT OF DAMAGED ORNAMENTAL STREET LIGHTS; AND PROVIDING FOR SEVERABILITY.

- 11. Consider Resolution No. 2013-85, authorizing the City Manager to enter into an agreement with Tascon Industries Inc. for curbside collection of recyclable items.**

RESOLUTION NO. 2013-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR CURBSIDE COLLECTION OF RECYCLABLE ITEMS WITH TASCAN INDUSTRIES.

With Item No. 9 being removed from the Consent Agenda, Council Member Beckwith moved to approve items 1 through 11, excluding item 9, on the consent agenda. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Before moving on to the Regular Agenda, Mayor Erskine called item 9 from the Consent Agenda for discussion as follows:

- 9. Consider Ordinance No. 2013-36, amending the Red Light Camera Fund Budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013 in the amount not to exceed \$300,000 to increase line item 15-22-9750 from the Red Light Camera Fund balance in order to cover for the transfer from the Red Light Camera Fund to the Traffic Safety Fund.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

Finance Director Isabel Kato introduced the items, stating this item is a good transfer. She told Council that this line item is under budget because the City received more money than budgeted and the transfer is needed for auditing purposes.

With no further discussion, Council Member Sheppard moved to accept Ordinance No. 2013-36 amending the red light camera fund budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013 in the amount not to exceed \$300,000 to increase line item 15-22-9750 from the red light camera fund balance in order to cover for the transfer from the red light camera fund to the traffic safety fund. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2013-36

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE RED LIGHT CAMERA FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013 IN THE AMOUNT NOT TO EXCEED \$300,000 TO INCREASE LINE ITEM 15-22-9750 FROM THE RED LIGHT CAMERA FUND BALANCE IN ORDER TO COVER FOR THE TRANSFER FROM THE RED LIGHT CAMERA FUND TO THE TRAFFIC SAFETY FUND.

G. REGULAR AGENDA

1. Receive report from CenterPoint energy regarding reliability concerns within the Jersey Village service area.

Mike Castro, City Manager, introduced the item. Background information is as follows:

On September 25, 2013, Mayor Erskine and City Manager Castro met with CenterPoint Energy representatives to discuss reliability issues in Jersey Village. Specifically, a number of residents have contacted the Mayor and City Manager to express concerns over the increased number and duration of power outages in the community. During the meeting, a great deal of information was provided by CenterPoint to the city.

CenterPoint energy agreed to attend tonight's City Council meeting to discuss the matter with Council and the community at-large in order to provide information that explains the cause of the outages and detail their plans to alleviate the problem.

City Manager Castro introduced Paul Wilson, the Service Area Director. Mr. Wilson turned the presentation over to Mr. Adrian Moreno, Service Area Manager; who led the presentation regarding the circuit problems in Jersey Village and their plan to correct the issues. Mr. Moreno explained that there are several issues causing the power outages that

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

range from wild life, to vegetation, and to circuit problems. He explained several steps in place to correct the issues, including isolating Jersey Village's circuit from the surrounding area. Mr. Moreno explained that they will continue the tree trimming efforts and the pole to pole inspection of the equipment. He stated that they hope to have these improvements complete by the end of the first quarter of 2014. Both Mr. Wilson and Mr. Moreno agreed to give monthly updates to Council regarding the progress and encourage City Council and residents to continue reporting all outages.

Mayor Erskine called the next items out of order, as follows:

H. CLOSE THE REGULAR SESSION

Mayor Erskine closed the Regular Session at 8:01 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 – Consultation w/Attorney.

I. EXECUTIVE SESSION

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding the city's efforts to mitigate the effects of the U.S. 290 expansion project.**

J. ADJOURN EXECUTIVE SESSION

Mayor Erskine adjourned the Executive Session at 8:57 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

K. CONVENE REGULAR SESSION

- 1. Discuss and take appropriate action regarding items discussed in Executive Session regarding the U.S. 290 expansion project.**

Mayor Erskine called the item for discussion. No discussion being had, no action was taken on this item Mayor Erskine called the item for discussion.

In completing the Executive Session, Mayor Erskine resumed the regular order of the agenda as follows:

G. REGULAR AGENDA

- 2. Consider on first reading Ordinance No. 2013-38, granting to CenterPoint Energy Resources Corp., DBA CenterPoint Energy Texas Gas Operations, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities within the public rights-of-way of the City of Jersey Village, Texas for the transportation, delivery, sale and distribution of natural gas; containing other provisions relating to the foregoing subject; providing for severability and providing an effective date.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

Bobby Gervais, City Attorney, introduced the item. Background information is as follows:

This item is to consider for renewal the Franchise Agreement with CenterPoint Energy Gas. The Ordinance will be No. 2013-38 and the Caption must be read aloud during the meeting. This act satisfies the requirements of our Charter wherein Section 8.03 Ordinance granting franchise states:

Every ordinance granting, renewing, extending or amending a public utility franchise shall be read at three regular meetings of the council prior to approval. Within ten (10) days following the first reading of the ordinance, the full text thereof shall be published in the official newspaper of the city, and the cost of such publication shall be paid by the prospective franchise holder.

Tonight's reading will be the first of three readings of the caption. The readings must be done at three separate "Regular" Council Meetings.

Council conducted the first reading in accordance with the terms of the Charter.

With no further discussion, Council Member Beckwith moved to approve the first reading on Ordinance 2013-38 granting to CenterPoint Energy Resources Corp., DBA CenterPoint Energy Texas Gas Operations, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities within the public rights-of-way of the City of Jersey Village, Texas for the transportation, delivery, sale and distribution of natural gas; containing other provisions relating to the foregoing subject; providing for severability and providing an effective date. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

3. Consider Resolution No. 2013-86, authorizing the City Secretary to advertise a Request for Proposals seeking a planning consultant to update the City's Comprehensive Plan.

Danny Segundo, Public Works Director, introduced the item. Background information is as follows:

At the October 21, 2013 City Council Meeting city staff presented City Council with a draft of a Request for Proposals (RFP) for the City's Comprehensive Plan. The plan included an overview of the City of Jersey Village, and had a detailed project overview. The goal is to develop a hybrid comprehensive plan that includes short term strategic thinking and solutions, but with long term vision to identify issues the city will face in the upcoming years.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

City staff has made minor modifications to the plan to include recommendation by City Council at the October meeting.

Mr. Segundo told Council that city staff is seeking approval to have the City Secretary advertise the RFP in the Houston Chronicle. The proposed RFP timeline is as follows:

- Council Approval to Bid November 18, 2013
- RFP Release Date December 5, 2013
- First Publication Date December 5, 2013
- Second Publication Date December 12, 2013
- Pre-Proposal Meeting December 18, 2013 at 2:00 pm
- Proposal Due Date January 7, 2013, 2:00 pm
- Proposal Review January 9, and 10, 2013
- City Council – Award January 20, 2013 Council Meeting

With little discussion, Council Member Ray moved to approve Resolution No. 2013-86, authorizing the City Secretary to advertise a Request for Proposals seeking a planning consultant to update the City's Comprehensive Plan. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING ADVERTISEMENT OF A REQUEST FOR PROPOSALS SEEKING A PLANNING CONSULTANT TO UPDATE THE CITY'S COMPREHENSIVE PLAN.

4. **Consider Ordinance No. 2013-39, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 18, Businesses, by adopting a new Article V; Hotel Code; providing special rules and regulations for the operation of Hotels within the City; providing a severability clause; providing for repeal; and providing an effective date.**

Danny Segundo, Public Works Director, introduced the item. Background information is as follows:

With the development and growth of the City of Jersey Village comes the responsibility of the City to review current and future conditions and regulations concerning Motels and Hotels located within its city limits. The City currently has three motels located in its extraterrestrial jurisdiction (ETJ) and City limits. The conditions of the three range due to

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

age, condition of the property, and onsite maintenance. The influence of these conditions has brought crime and unwanted safety concerns along with additional need for city services.

City staff is recommending the adoption of new guidelines that will implement the enforcement of city health, building, and safety codes and ordinances, as well as state laws regarding and affecting the operation of hotel and motels.

The new ordinance will establish:

- A Property Standard Board which shall hear cases pertaining to Hotels, Motels.
- Requiring an annual lodging license.
- Classify hotels and motels according to their calls for service.
- Establish criteria regarding occupancy (residency).
- Establish premises requirements.
- Establish enforcement criteria.

Council engaged in discussion concerning the style of hotels that are completely enclosed with fences and do not have a centralized lobby. Mr. Segundo explained that these types of issues including licensing and maintenance would all be part of the permit process. There was also discussion as to how this new ordinance will affect the current hotels. Mr. Segundo explained that the current hotels would also have to abide by these conditions. His department will contact each hotel if the ordinance is passed.

With no further discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2013-39, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 18, Businesses, by adopting a new Article V; Hotel Code; providing special rules and regulations for the operation of Hotels within the City; *providing* a severability clause; providing for repeal; and providing an effective date. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2013-39

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 18, *BUSINESSES*. OF THE CODE OF ORDINANCES, CITY OF JERSEY VILLAGE, BY ADOPTING A NEW ARTICLE V. *HOTEL CODE* PROVIDING SPECIAL RULES AND REGULATIONS FOR THE OPERATION OF HOTELS WITHIN THE CITY; PROVIDING FOR THE LICENSING OF HOTELS WITHIN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

5. Discuss and take appropriate action regarding the reconstruction of Elwood Drive.

Mike Castro, City Manager, introduced the item. Background information is as follows:

The purpose of this agenda item is to discuss the reconstruction of Elwood Drive and possible placement of this project into the current year Capital Improvement Program (CIP) budget.

Over the past four months, residents have approached City Council regarding the condition of Elwood Drive. Residents have complained during citizen comments about sections of the roadway that are significantly degraded. Residents have also questioned why the City did not include Elwood Drive as a part of the Phase III street improvement project.

Over the course of the past two roadway reconstruction efforts, it has been the recommendation of staff to include Elwood Drive as a part of the project. For various reasons, City Council has not included Elwood Drive in the final project list. Most notably, past Councils have cited low traffic volume as a reason not to include Elwood.

In response to the recent Citizen input, the City Engineer has developed reconstruction cost estimates for the following three scenarios:

- 1) **Complete replacement with a concrete surface treatment similar in scope and appearance to recent city reconstruction efforts.** This would include water, stormwater and streetlight enhancements / improvements. (\$ 1,079,012)
- 2) **Complete replacement with an asphalt surface treatment only.** This would not include water, stormwater or street light enhancements. This would be a temporary solution until such time that a complete concrete replacement could be accomplished. (\$ 333,828)
- 3) **Partial Replacement with point repairs.** Such an effort would prioritize repairs to those locations where the roadway has failed, or is likely to fail in the near future. Again, such repairs would not include water, stormwater, and streetlight enhancements. (\$ 196,000)

The estimates above do not include engineering fees, which typically run eight to 12 percent of the project costs.

City Manager Castro told the Council that it is the recommendation of staff that a decision regarding Elwood Drive be deferred until next year's budget cycle. This would afford a better understanding of the financial posture of the city, in light of activities associated with the US 290 expansion project. He stated that an abundance of caution should be exercised with regard to large cash outlays for the next two to three years. He is concerned, at this point, regarding the ability of the city to fund this project out of cash reserves and meet any unanticipated cash requirements (Hurricane, economic collapse, etc.). He noted that sales tax figures are 10 to 15 percent off, year over year and the City

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

is also beginning to acquire condemnation parcels associated with the US 290 utility relocation. Additionally, he told Council that the State has shut down the City's red light camera program in total and we uncertain how long it will take TxDOT to reimburse the City for submitted expenses associated with the utility relocation. He reminded Council that looming large on the horizon are costs associated with Segment 7, which we anticipate will be three times the cost of Segment 6.

Council engaged in discussion. Several Council Members were concerned that doing one of the less expensive repair options would only be a temporary fix and would cost more money in the long run. Council discussed that this should be a budget item for the upcoming year and be a high priority.

No action was taken on the item.

6. Consider Resolution No. 2013-87, receiving the Planning & Zoning Commission's Preliminary Plat Recommendation for the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located in the City of Jersey Village.

Danny Segundo, Public Works Director introduced the item. Background information is as follows:

The Planning and Zoning Commission met on October 24, 2013 and recommended that the City Council conditionally approve the preliminary plat submitted by Mark Welch, Weekly Homes, and WCB Land LLC., with the following modifications:

- a. The Preliminary Plat must label the detention area "Reserve for Detention".
- b. The Preliminary Plat must identify open spaces near lots 1, 27, and 36.

This item is to consider the P&Z recommendation and act upon the resolution presented with this item.

With limited discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2013-87, receiving the Planning & Zoning Commission's Preliminary Plat Recommendation for the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located in the City of Jersey Village. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY PLAT RECOMMENDATIONS FOR THE ENCLAVE AT

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

CASTLEBRIDGE, WHICH IS COMPRISED OF A 22.34 ACRE TRACT OF LAND LOCATED IN THE CITY OF JERSEY VILLAGE.

7. **Consider Resolution No. 2013-88, approving the preliminary plat recommendations of the City of Jersey Village Planning and Zoning Commission concerning the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located in the City of Jersey Village.**

Danny Segundo, Public Works Director, introduced the item. He told Council that this item is to approve preliminary plat recommendations of the Planning and Zoning Commission concerning the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located in the City of Jersey Village.

With limited discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-88, approving the preliminary plat recommendations of the City of Jersey Village Planning and Zoning Commission concerning the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located in the City of Jersey Village. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE PRELIMINARY PLAT RECOMMENDATIONS OF THE CITY OF JERSEY VILLAGE PLANNING AND ZONING COMMISSION CONCERNING THE ENCLAVE AT CASTLEBRIDGE, COMPRISED OF A 22.34 ACRE TRACT OF LAND LOCATED IN THE CITY OF JERSEY VILLAGE.

8. **Consider Resolution No. 2013-89, receiving the Planning and Zoning Commission's Preliminary Report as it relates to the request of Service Franchise Inc. (Applicant) and Jaron Stone (Owner) to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility.**

Debra Mergel, Chairman of the Planning and Zoning Commission, introduced the item. Background information is as follows:

On November 11, 2013, the Planning and Zoning Commission met to review the application request of Service Franchise Inc., PO Box 2818, Hudson WI, 54016 (Applicant) and Jaron Stone, PO Box 2818, Hudson WI, 54016 (Owner) to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

As a result of the discussions had surrounding the application and the request to amend the City's Zoning Ordinance regarding car wash facilities as a specific use permit in District F, the Planning and Zoning Commission presents its preliminary report in connection with its findings to City Council tonight and asks that it be received.

With limited discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2013-89, receiving the Planning and Zoning Commission's Preliminary Report as it relates to the request of Service Franchise Inc. (Applicant) and Jaron Stone (Owner) to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AS IT RELATES TO AMENDING THE CITY'S ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A SUBSECTION (c) TO INCLUDE CAR WASH FACILITY.

- 9. Consider Ordinance No. 2013-40, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the City's zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility.**

Danny Segundo, Public Works Director, introduced the item. He stated that Council has heretofore received the Planning and Zoning Commissions Preliminary Report concerning the proposal to amend the city's zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility.

The next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

This item is to set the date and time for the joint public hearing with the Planning and Zoning Commission.

With no discussion on the matter, Council Member Ray moved to approve Ordinance No. 2013-40, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the City's zoning ordinance at Chapter

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2013-40

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND THE CITY'S ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-105(a)(21) BY ADDING A SUBSECTION (c) TO INCLUDE CAR WASH FACILITY.

Mayor Erskine called the next items together, as follows:

- 10. Consider Resolution No. 2013-90, receiving the Planning and Zoning Commission's Preliminary Report as it relates to the request of Service Franchise, Inc. (Applicant) and Jaron Stone (Owner) for a specific use permit to allow the operation of a car wash facility on a tract of land located at 8714 Jones Road, Jersey Village, TX 77065 within the city limits in zoning District F.**
- 11. Consider Ordinance No. 2013-41, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the city's zoning ordinance to grant a specific use permit to allow the operation of a car wash facility on a tract of land located at 8714 Jones Road, Jersey Village, TX 77065 within the city limits in zoning District F.**

Danny Segundo, Public Works Director, introduced the items. He told Council that the request of Service Franchise, Inc. (Applicant) and Jaron Stone (Owner) for a specific use permit to allow the operation of a car wash facility on a tract of land located within the city limits in zoning District F have heretofore been discussed by the Planning and Zoning Commission's sessions held on November 11, 2013, and November 18, 2013. A Preliminary Report was prepared at the November 18, 2013 session; however, after adjournment of that meeting, it was found that the address for I-Shine was presented incorrectly. Accordingly, it will be necessary to meet again with the Planning and Zoning Commission to correct the address in the preliminary report. It is recommended that Council "Table" these items until a corrected report is prepared and submitted.

With no discussion on the matter, Council Member Beckwith moved to table Resolution No. 2013-90, receiving the Planning and Zoning Commission's Preliminary Report and Ordinance 2013-41, as it relates to the request of Service Franchise, Inc. (Applicant) and Jaron Stone (Owner) for a specific use permit to allow the operation of a car wash facility on a tract of land located at 8714 Jones Road, Jersey Village, TX 77065 within the city

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

limits in zoning District F. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-90 - TABLED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AS IT RELATES TO THE REQUEST OF SERVICE FRANCHISE, INC. (APPLICANT) AND JARON STONE (OWNER) FOR A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A CAR WASH FACILITY ON A TRACT OF LAND LOCATED AT 8714 JONES ROAD, JERSEY VILLAGE, TX 77065 WITHIN THE CITY LIMITS IN ZONING DISTRICT F.

ORDINANCE NO. 2013-41- TABLED

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND THE CITY'S ZONING ORDINANCE TO GRANT A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A CAR WASH FACILITY ON A TRACT OF LAND LOCATED AT 8714 JONES ROAD, HOUSTON, TX 77065 WITHIN THE CITY IN ZONING DISTRICT F.

- 12. Consider Resolution No. 2013-91, receiving the Planning and Zoning Commission's Preliminary Report amending the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village.**

Debra Mergel, Chairman of the Planning and Zoning Commission, introduced the item. Background information is as follows:

The Planning and Zoning Commission has met on several occasions to consider the proposal to amend the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village.

After review and discussion, the Commissioners preliminarily proposed amendments to the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village; and presents its preliminarily report in connection with its findings to City Council tonight, asking that it be received.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2013-91, receiving the Planning and Zoning Commission's Preliminary

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

Report amending the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village. Council Member Klein seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AS IT RELATES TO AMENDING THE CITY'S COMPREHENSIVE ZONING ORDINANCE REGARDING THE MANAGEMENT OF ANTICIPATED RESIDENTIAL TEARDOWN AND REBUILDING ACTIVITIES IN THE CITY OF JERSEY VILLAGE.

- 13. Consider Ordinance No. 2013-42, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village.**

Danny Segundo, Public Works Director, introduced the item. He stated that Council has heretofore received the Planning and Zoning Commission's Preliminary Report concerning the proposal to amend the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village.

The next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

This item is to set the date and time for the joint public hearing with the Planning and Zoning Commission.

With no discussion on the matter, Council Member Beckwith moved to approve Ordinance No. 2013-42, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

ORDINANCE NO. 2013-42

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND THE CITY'S COMPREHENSIVE ZONING ORDINANCE REGARDING THE MANAGEMENT OF ANTICIPATED RESIDENTIAL TEARDOWN AND REBUILDING ACTIVITIES IN THE CITY OF JERSEY VILLAGE.

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 salutory 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 salutory 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 Klein: Council Member Klein thanked Michael Brown and the Parks crew for their help at the Fall Frolic. She stated that the Recreations and Events Committee could not put on these events without the help of staff.

Council Member Sheppard: Council Member Sheppard thanked the CenterPoint representatives for taking the time to attend the meeting and she can see that they are trying to fix the power issues.

Council Member Ray: Council Member Ray commended the City Manager, Mike Castro, for his service work with the Cy-Fair Rotary Club on the recent food drive. He also thanked the Fire Department for their services, especially for their response to the house fire tonight. Council Member Ray encouraged the citizens to continue sending emails.

Council Member Beckwith: Council Member Beckwith thanked staff for all of their good work. He appreciates all that they do and knows that there is a lot going on at this time.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – November 18, 2013

Mayor Erskine: Mayor Erskine stated that he appreciates all of the residents who have updated him regarding the power outages. He knows that progress is slow, but he thinks things are on the right track.

J. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:46 p.m.

Courtney Rutherford
Assistant City Secretary