

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON DECEMBER 16, 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	City Secretary, Lorri Coody
Council Member, Harry Beckwith III, PE	City Attorney, Bobby Gervais
Council Member, Sheri Sheppard	
Council Member, Jill Klein	

Council Member Place 2 is Vacant.

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; Courtney Rutherford, Assistant City Secretary; Christian Somers, Building Official; and Deborah Capaccioli-Paul, Engineering Technician.

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

Chairman, Debra Mergel	George Ohler, Commissioner
Tom Eustace, Commissioner	Barbara Freeman, Commissioner
Rick Faircloth, Commissioner	Joyce Berube, Commissioner

Commissioner Michael O'Neal was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by Former Council Member Curtis Haverty

C. PROCLAMATION

1. Proclamation recognizing the Jersey Village Fire Department in reaching the historic milestone in its existence by providing "Fire and Medical Services to the Community for 60 years."

Mayor Erskine gave the presentation of a Proclamation to Fire Chief, Mark Bitz and fifteen (15) volunteer firefighters that recognized the Jersey Village Fire Department in reaching the historic milestone in its existence by providing "Fire and Medical Services to the Community for 60 years."

D. JOINT PUBLIC HEARING

1. Conduct Joint Public Hearing with Planning and Zoning Commission on 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 item and Chairman Debra Mergel announced a quorum for the Planning and Zoning Commission. Mayor Erskine opened the Joint Public Hearing at 7:09 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 City's zoning ordinance at

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility. Mayor Erskine then called those signing up to speak as follows:

Ed Richter, 37 cherry Hills, Jersey Village, Texas (281) 777-7506 – Mr. Richter stated that one's home should be one's sanctuary. He told Council and P&Z that prior to moving to the Village that he owned a nice home in a nice neighborhood until a car wash was built nearby. He said that the car wash brought many problems – thefts, loud music, trash, etc. As a result, he sold his home and moved to Jersey Village. He is upset to learn that he is now faced with a similar situation. He opposes the car wash.

Deborah Finlay, 30 Cherry Hills, Jersey Village, Texas (281) 844-8117 – Mrs. Finley spoke to the car wash issue. She asked that Council not make a decision on this item until more information is available concerning the amount of sound that will be emitted from such an establishment. She asked that studies be made to determine an acceptable level. She stated a list of reasons why she is opposed to the car wash. A few of the reasons are as follows:

1. Noise pollution
2. Chemicals
3. Environmental Concerns
4. Traffic Concerns
5. Hours of Operation
6. Distance from the back of the neighborhood
7. Landscaping
8. Property values

Bill Schuster, 8 Peachtree Court, Jersey Village, Texas (832) 407-9011 – Mr. Schuster, while he signed up to speak, he did not address Council. He donated his time to Mrs. Deborah Finlay.

John Xidezis, 1 Spyglass Court, Jersey Village, Texas (832) 746-7370 – Mr. Xidezis told Council that he is concerned about the car wash and the noise, traffic, pollution and chemicals it will bring. He is concerned for the wildlife, especially around the lake. He is also concerned that the chemicals will damage the clay roofs within the nearby neighborhood. He believes there are other opportunities for this location. He opposes the car wash.

Kurt Futrell, 11 cherry Hills Drive, Jersey Village, Texas (281) 890-2616 – Mr. Futrell spoke to Council about the car wash. He told a story about a woman in the neighborhood who posted a sign for a garage sale, which are not allowed. Nonetheless, the posting brought many unwanted cars into the neighborhood. He told the story because he believes that the car wash will also bring unwanted cars and traffic into the neighborhood. He closed his presentation by asking Council – Would you like your property to back up to a car wash?

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

Laurie Reid, 52 Cherry Hills, Jersey Village, Texas (713) 937-4564 – Ms. Reid is against the car wash. She explained that she has spent a lot of time and money on her back yard and does not want it to back up to a car wash. She confirmed that she too is concerned about all of the things that have been mentioned about the car wash.

With no one else desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:28 p.m. Mayor Erskine called the next item on the agenda as follows:

2. Conduct Joint Public Hearing with 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.

Mayor Erskine called the item and Chairman Debra Mergel announced a quorum for the Planning and Zoning Commission. Mayor Erskine opened the Joint Public Hearing at 7:29 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 City's comprehensive zoning ordinance regarding the management of anticipated residential teardown and rebuilding activities in the City of Jersey Village.

With no one desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:30 p.m., and the Planning and Zoning Commission retired from the City Council meeting at 7:30 p.m. to conduct its posted meeting agenda and prepare the final report in connection with this joint public hearing and the joint public hearing held previously.

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.

S. Bala Krishnan, 16309 Smith Street, Jersey Village, Texas (713) 896-9753 – Mr. Krishnan spoke to Council about the 43 Acre Detention Pond Project. He told Council his concern about the amount of money being spent and that the trail around the pond is not concrete. The details of his concern are more fully explained in a handout which was delivered to Council.

Daniel Kilburn, 8805 Jones Road, Jersey Village, Texas (281) 477-7788 – Mr. Kilburn asked Council to amend the banner sign ordinance to permit the posting of eight (8) banner signs per year instead of the current limit of four (4) per year.

F. CITY MANAGER'S REPORT

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

City Manager, Mike Castro, gave his monthly report. In addition to the items listed below, Police Chief Eric Foerster introduced Officer Richard Adkisson, joining his department.

- 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 November 2013**
- 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. Introduction of new officer - Richard Adkisson**

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 November 18, 2013.**
- 2. Consider Resolution No. 2013-92, authorizing the City manager to renew the Interlocal Agreement with Harris County for housing City prisoners for the term January 1, 2014 through December 31, 2014.**

RESOLUTION NO. 2013-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ENTERING INTO AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY FOR THE HOUSING OF MUNICIPAL PRISONERS.

- 3. Consider Resolution No. 2013-93, appointing the Presiding Municipal Court Judge; and the Municipal Court Judges of the City of Jersey Village for the term beginning January 1, 2014 and ending December 31, 2015.**

RESOLUTION NO. 2013-93

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING JEFFREY C. BRASHEAR AS THE PRESIDING MUNICIPAL COURT JUDGE; AND DON R. BYRNES AND MARTIN HALICK AS MUNICIPAL COURT JUDGES OF THE CITY OF JERSEY VILLAGE.

4. **Consider Resolution No. 2013-94, appointing Lawrence Paul Rex, III as Municipal Court Clerk of the City of Jersey Village for the term beginning January 1, 2014 and ending December 31, 2015.**

RESOLUTION NO. 2013-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING LAWRENCE PAUL REX, III AS MUNICIPAL COURT CLERK OF THE CITY OF JERSEY VILLAGE.

5. **Consider Ordinance No. 2013-43, amending Chapter 2, “Administration,” Article IV, *Schedule of Fees and Special Funds*, Section 2-142 of the Code of Ordinances, City of Jersey Village, by adding a new subsection (h) *Lodging license fees*; providing for severability; and providing for repeal.**

ORDINANCE NO. 2013-43

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 2, “ADMINISTRATION,” ARTICLE IV, *SCHEDULE OF FEES AND SPECIAL FUNDS*, SECTION 2-142 OF THE CODE OF ORDINANCES, CITY OF JERSEY VILLAGE, BY ADDING A NEW SUBSECTION (H) *LODGING LICENSE FEES*; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL.

6. **Consider Resolution No. 2013-101, authorizing the City Manager to enter into a contract with Xerox Corporation for a new lease agreement to replace the Fire Department’s Xerox WCPS32 printer with a Xerox W7830P printer.**

RESOLUTION NO. 2013-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH XEROX CORPORATION FOR A NEW LEASE AGREEMENT TO REPLACE THE FIRE DEPARTMENT’S XEROX WCPS32 PRINTER WITH A XEROX W7830P PRINTER.

Council Member Beckwith moved to approve items 1 through 6 on the consent agenda. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Beckwith, Sheppard and Klein

Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

The motion carried.

H. REGULAR AGENDA

- 1. Consider on second 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.**

City Attorney, Bobby Gervais, introduced the item. He explained that tonight's reading is the second of three readings of the caption. The readings must be done at three separate "Regular" Council Meetings.

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

With no further discussion, Council Member Beckwith moved to approve the second 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.

- 2. Consider Resolution No. 2013-95, authorizing a Development Agreement between the City of Jersey Village, Texas (the "City"), WCB Land, LLC., (the "Owner") and Weekley Homes, LLC., (the "Developer") for the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located within the city limits.**

City Manager, Mike Castro introduced the item. He explained that a memo was included in the meeting packet that explained that there were some unresolved issues concerning the Development Agreement between the City and WCB Land LLC for the Enclave at Castlebridge. Nevertheless, City Manager Castro reported that since the time the meeting packet was delivered, City Staff and the Developer have come to an agreement regarding the development agreement terms. There were two areas of disagreement which have been resolved by both parties as follows:

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

- A. The Agreement shall not be assignable by WCB Land LLC to any other party other than to Developer or Developer's affiliate, Classic Neighborhood - FC Holdings; and
- B. Upon the issuance of certificates of occupancy for approximately thirty-three percent (33%) of the residences (i.e. 31 homes) to be developed as per Developer's Master Plan, the City agrees to accept ownership and maintenance for the following utilities and improvements in the Development, which are currently in place: (1) Water system and (2) Sanitary Sewer system.

City Manager Castro recommended approval of the Agreement with these amendments.

With limited discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-95, as amended, authorizing a Development Agreement between the City of Jersey Village, Texas (the "City"), WCB Land, LLC., (the "Owner") and Weekley Homes, LLC., (the "Developer") for the Enclave at Castlebridge, which is comprised of a 22.34 acre tract of land located within the city limits. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-95 – AS AMENDED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF JERSEY VILLAGE, TEXAS (THE "CITY"), WCB LAND, LLC., (THE "OWNER") AND WEEKLEY HOMES, LLC., (THE "DEVELOPER") FOR THE ENCLAVE AT CASTLEBRIDGE, WHICH IS COMPRISED OF A 22.34 ACRE TRACT OF LAND LOCATED WITHIN THE CITY LIMITS.

- 3. Consider Resolution No. 2013-96, receiving the Planning & Zoning Commission's Final 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, Director of Public Works, introduced the item. Background information is as follows:

The Planning and Zoning Commission met on December 5, 2013 to review a final plat application submitted by Mark Welch, Weekly Homes, and WCB Land LLC, for The Enclave at Castlebridge. Having reviewed the application, the Planning and Zoning Commission asks that the City Council receive their final plat recommendation, provided the following conditions are met:

- a. The building setback shall be 20 feet.
- b. The Enclave streets, detention pond, drainage and storm sewers shall be the responsibility of their home owners association.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

- c. The City of Jersey Village will be responsible for water and sewer utilities as outlined in the development agreement.
- d. Plat is subject to a development agreement.

Mr. Segundo told Council that the Planning and Zoning Commission in submitting its Final Plat Recommendation to Council asks that the recommendation be received.

With no discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2013-96, receiving the Planning & Zoning Commission's Final 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 Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL PLAT RECOMMENDATIONS FOR THE ENCLAVE AT CASTLEBRIDGE, WHICH IS COMPRISED OF A 22.34 ACRE TRACT OF LAND LOCATED IN THE CITY OF JERSEY VILLAGE.

- 4. Consider Resolution No. 2013-97, approving the recommendations of the City of Jersey Village Planning and Zoning Commission concerning the final plat (partial replat no. 1) for the Enclave at Castlebridge, comprised of a 22.34 acre tract of land located in the City of Jersey village; approving the final plat (replat no. 1) of the Enclave at Castlebridge.**

Danny Segundo, Director of Public Works, introduced the item. He reviewed the final plat with Council, pointing out the following specific plat notes:

- a. The building setback shall be 20 feet.
- b. The Enclave streets, detention pond, drainage and storm sewers shall be the responsibility of their home owners association.
- c. The City of Jersey Village will be responsible for water and sewer utilities as outlined in the development agreement.
- d. Plat is subject to a development agreement.

He explained that this item is to approve the final plat and recommendations of the Planning and Zoning Commission.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

With limited discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-97, approving the recommendations of the City of Jersey Village Planning and Zoning Commission concerning the final plat (partial replat no. 1) for the Enclave at Castlebridge, comprised of a 22.34 acre tract of land located in the City of Jersey village; and approving the final plat (replat no. 1) of the Enclave at Castlebridge. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE RECOMMENDATIONS OF THE CITY OF JERSEY VILLAGE PLANNING AND ZONING COMMISSION CONCERNING THE FINAL PLAT (PARTIAL REPLAT NO. 1) FOR THE ENCLAVE AT CASTLEBRIDGE, COMPRISED OF A 22.34 ACRE TRACT OF LAND LOCATED IN THE CITY OF JERSEY VILLAGE; APPROVING THE FINAL PLAT (REPLAT NO. 1) OF THE ENCLAVE AT CASTLEBRIDGE.

5. **Consider with possible action removing from the table the actions regarding the receiving of 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 and within the City's zoning District F; and the subsequent Ordinance calling for a joint public hearing of the City Council and the Planning and Zoning Commission concerning the request of Service Franchise, Inc. and Jaron Stone for a specific use permit.**

Danny Segundo, Director of Public Works, explained that during the November 18, 2013 meeting, City Council successfully tabled the receiving of 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 and within the City's zoning District F; and the subsequent Ordinance calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning this proposal.

Therefore, before any discussions can be had on this request, Council must remove both items from the table.

With no discussion on the matter, Council Member Sheppard moved to approve removing from the table the actions regarding the receiving of 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 and within the City's zoning District F; and the subsequent Ordinance

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

calling for a joint public hearing of the City Council and the Planning and Zoning Commission concerning the request of Service Franchise, Inc. and Jaron Stone for a specific use permit. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

- 6. Consider Resolution No. 2013-98, 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 1.8317 acre tract of land (being out of Lot 2, Block 1, a Replat of Gulf Coast Jersey Village) located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, and within the City's zoning District F.**

Danny Segundo, Director of Public Works, introduced the item. He explained that the Planning and Zoning Commission met on November 11, 2013, November 18, 2013, and December 5, 2013 to discuss the preparation of its preliminary report concerning the request that a specific use permit be granted to allow the operation of a car wash facility on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a Replat of Gulf Coast Jersey Village) located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, and within the City's zoning District F.

At its December 5, 2013 meeting, the Commission approved a preliminary report recommending that the permit be granted. This item is to receive the report.

With limited discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2013-98, 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 1.8317 acre tract of land (being out of Lot 2, Block 1, a Replat of Gulf Coast Jersey Village) located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, and within the City's zoning District F. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

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 1.8317 ACRE TRACT OF LAND (BEING OUT OF LOT 2, BLOCK 1, A REPLAT OF GULF COAST JERSEY VILLAGE) LOCATED IN THE CHARLES CLARKSON SURVEY, ABSTRACT 190, ALONG JONES ROAD IN JERSEY VILLAGE, HARRIS COUNTY, TEXAS, AND WITHIN THE CITY'S ZONING DISTRICT F.

- 7. Consider Ordinance No. 2013-44, 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 1.8317 acre tract of land (being out of Lot 2, Block 1, a Replat of Gulf Coast Jersey Village) located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, and within the City's zoning District F.**

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

Council has heretofore received the Planning and Zoning Commissions Preliminary Report 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 1.8317 acre tract of land (being out of Lot 2, Block 1, a Replat of Gulf Coast Jersey Village) located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, and within the City's zoning District F.

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. 2013-44, 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 1.8317 acre tract of land (being out of Lot 2, Block 1, a Replat of Gulf Coast Jersey Village) located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, and within the City's zoning District F. Council Member Sheppard seconded the motion. The vote follows:

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

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

Nays: None

The motion carried.

ORDINANCE NO. 2013-44

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 1.8317 ACRE TRACT OF LAND (BEING OUT OF LOT 2, BLOCK 1, A REPLAT OF GULF COAST JERSEY VILLAGE) LOCATED IN THE CHARLES CLARKSON SURVEY, ABSTRACT 190, ALONG JONES ROAD IN JERSEY VILLAGE, HARRIS COUNTY, TEXAS, AND WITHIN THE CITY'S ZONING DISTRICT F.

Mayor Erskine called a short recess at 7:55 p.m. in order for the Planning and Zoning Commission to complete its meeting concerning the following agenda items.

Mayor Erskine reconvened the Regular Session at 8:25 p.m. and called the following item on the agenda:

- 8. Consider Resolution No. 2013-99, receiving the Planning and Zoning Commission's Final Report to Council on the proposal to amend the City's comprehensive zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility.**

Debra Mergel, Planning and Zoning Commission Chairman, introduced the item. She told Council that the Planning and Zoning Commission met on November 11, 2013 and recommended in its preliminary report that amendments be made to the City's comprehensive zoning ordinance.

The preliminary report was submitted to Council at its November 18, 2013 meeting, and the Joint Public Hearing was conducted December 16, 2013.

After duly considering all the information before the Commission, including that gathered at the Joint Public Hearing with City Council on December 16, 2013 at 7:00 p.m., the Planning and Zoning Commission recommends in its final report that the City's comprehensive zoning ordinance be amended at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (c) to include car wash facility, and asks that the report be received.

Discussion was had by Council concerning the meaning of the recommendation. The text change in the Code of Ordinances is only to permit the land use of car wash in District F with a specific use permit. Therefore, if this change were approved, in order that a car wash is located in District F, a request for a specific use permit would have to be approved.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

Council then discussed the other uses that are already permitted in District F without a specific use permit. Staff read these uses from the Code of Ordinances, including the two uses permitted with a specific use permit.

This item is only to receive the final report from the Planning and Zoning Commission. The recommendation does not name a specific location for a car wash. It only recommends a text change to the Code of Ordinances that provides for the land use with a specific use permit.

Discussion was had concerning the boundaries of District F. Staff explained the boundaries.

With no further discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2013-99, receiving the Planning and Zoning Commission's Final Report to Council on the proposal to amend the City's comprehensive 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. 2013-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT PERTAINING TO ZONING ORDINANCE AMENDMENTS AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A SUBSECTION (C) TO INCLUDE CAR WASH FACILITY.

- 9. Consider Ordinance No. 2013-45, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding a new definition of "car wash facility" to Section 14-5; amending Section 14-105(a)(21) by adding a new subsection (c) to include car wash facility as a permitted use in District F (with a specific use permit); providing a severability clause; providing for repeal; providing a penalty in an amount not to exceed two thousand dollars; and providing an effective date.**

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

The Planning and Zoning Commission met on November 11, 2013 and recommended in its preliminary report that amendments be made to the City's comprehensive zoning ordinance.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

The preliminary report was submitted to Council at its November 18, 2013 meeting, and Joint Public Hearings have been ordered for December 16, 2013.

On December 16, 2013 the City Council and the Planning and Zoning Commission conducted the joint public hearing and the Planning and Zoning Commission made its final report and recommendation.

All of the procedural requirements of Section 14-84(c)(2) items a through c have been met. This item is to approve the ordinance that will effect a text change in the Code of Ordinances providing for the definition of car wash and for the operation of a car wash facility in District F as a specific use.

With limited discussion on the matter, Council Member Beckwith moved to approve Ordinance No. 2013-45, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding a new definition of “car wash facility” to Section 14-5; amending Section 14-105(a)(21) by adding a new subsection (c) to include car wash facility as a permitted use in District F (with a specific use permit); providing a severability clause; providing for repeal; providing a penalty in an amount not to exceed two thousand dollars; and providing an effective date. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Beckwith, and Sheppard

Nays: Council Member Klein

The motion carried.

ORDINANCE NO. 2013-45

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY ADDING A NEW DEFINITION OF “CAR WASH FACILITY” TO SECTION 14-5; BY AMENDING CHAPTER 14, ARTICLE IV, SECTION 14-105(a)(21) BY ADDING A SUBSECTION (C) TO INCLUDE CAR WASH FACILITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 10. Consider Resolution No. 2013-100, receiving the Planning and Zoning Commission’s Final 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, Planning and Zoning Commission Chairman, introduced the item. She told Council that the Planning and Zoning Commission has met on several occasions to consider the proposal to amend the City’s comprehensive zoning ordinance regarding the

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

management of anticipated residential teardown and rebuilding activities in the City of Jersey Village.

The preliminary report was submitted to Council at its November 18, 2013 meeting, and the Joint Public Hearing was conducted December 16, 2013.

After duly considering all the information before the Commission, including that gathered at the Joint Public Hearing with City Council on December 16, 2013 at 7:00 p.m., the Planning and Zoning Commission recommends that the City's Code of Ordinances be amended at Chapter 14, by amending certain Articles and Sections of Chapter 14 to resolve potential issues resulting from tear-down redevelopment within the City: Article I, in General, Section 14-3, and 14-5; Article IV, Zoning Districts, Division 1, Section 14-88; Article IV Zoning Districts, Division 2, Section 14-101 and 14-137; Article IX, Storm Drainage and Flood Control, Section 14-225; and Article XI, Off Street Parking and Driveway Standards, Section 14-282.

With no discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-100, receiving the Planning and Zoning Commission's Final 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 Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-100

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 CITY'S COMPREHENSIVE ZONING ORDINANCE REGARDING THE MANAGEMENT OF ANTICIPATED RESIDENTIAL TEARDOWN AND REBUILDING ACTIVITIES IN THE CITY OF JERSEY VILLAGE.

- 11. Consider Ordinance No. 2013-46, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by amending certain Articles and Sections of Chapter 14 to resolve potential issues resulting from tear-down redevelopment within the City: Article I, in General, Section 14-3, and 14-5; Article IV, Zoning Districts, Division 1, Section 14-88; Article IV Zoning Districts, Division 2, Section 14-101 and 14-137; Article IX, Storm Drainage and Flood Control, Section 14-225; and Article XI, Off Street Parking and Driveway Standards, Section 14-282; 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 – December 16, 2013

Danny Segundo, Director of Public Works, introduced Consultant Gary Mitchell with Kendig Keast Corroborative who gave a short presentation concerning the changes to the Code of Ordinances outlined in the proposed Ordinance.

In completing the presentation, and with no discussion on the matter, Council Member Beckwith moved to approve Ordinance No. 2013-46, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by amending certain Articles and Sections of Chapter 14 to resolve potential issues resulting from tear-down redevelopment within the City: Article I, in General, Section 14-3, and 14-5; Article IV, Zoning Districts, Division 1, Section 14-88; Article IV Zoning Districts, Division 2, Section 14-101 and 14-137; Article IX, Storm Drainage and Flood Control, Section 14-225; and Article XI, Off Street Parking and Driveway Standards, Section 14-282; 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 Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2013-46

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 14, BUILDING AND DEVELOPMENT, BY AMENDING CERTAIN ARTICLES AND SECTIONS OF CHAPTER 14 TO RESOLVE POTENTIAL ISSUES RESULTING FROM TEAR-DOWN REDEVELOPMENT WITHIN THE CITY: ARTICLE I, IN GENERAL, SECTION 14-3, AND 14-5; ARTICLE IV, ZONING DISTRICTS, DIVISION 1, SECTION 14-88; ARTICLE IV ZONING DISTRICTS, DIVISION 2, SECTION 14-101 AND 14-137; ARTICLE IX, STORM DRAINAGE AND FLOOD CONTROL, SECTION 14-225; AND ARTICLE XI, OFF STREET PARKING AND DRIVEWAY STANDARDS, SECTION 14-282; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

I. 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;

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 16, 2013

- 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 Beckwith: Council Member Beckwith thanked Staff for their hard work. He was pleased with the good turnout by the Volunteer Firefighters to recognize the Department's 60 years of service and he wished everyone a Merry Christmas and Happy New Year.

Council Member Ray: Council Member Ray thanked the Planning and Zoning Commission for all the hard work that they have done this year and for their continued service. He made a few brief comments concerning the car wash ordinance, sympathizing with residents and neighbors and stating his desire to protect their rights as citizens. He thanked the Jersey Village Fire Department for their work and he wished everyone a Merry Christmas and Happy New Year.

Council Member Sheppard: Council Member Sheppard thanked the Fire Department for their work with the Santa Program. She stated that she experienced the program first hand this year and it is a wonderful program. The visit was magical.

Council Member Klein: Council Member Klein thanked the Recreation and Events Committee for their hard work on the Holiday in the Park event. It was a smashing success. She also thanked Michael Brown and his crew and she acknowledged the Jersey Village Fire Department for their 60 years of service. She wished everyone a Merry Christmas.

Mayor Erskine: Mayor Erskine also thanked the Recreation and Events Committee for their work on the Holiday in the Park event. He thanked the Jersey Village Fire Department for their service and the residents for attending the meeting. He wished everyone a Merry Christmas.

J. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:55 p.m.

Lorri Coody, City Secretary