

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 20, 2014 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 Erskine at 7:06 p.m. with the following present:

Mayor, Rod Erskine	City Manager, Mike Castro, PhD
Council Member, Justin Ray	City Secretary, Lorri Coody
Council Member, Greg Holden	City Attorney, Mary Ann Powell
Council Member, Harry Beckwith III, P.E.	
Council Member, Sheri Sheppard	
Council Member, Tom Eustace	

City Attorney, Bobby Gervais, was not present at this meeting.

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Isabel Kato, Finance Director; Christian Somers, Building Official; and Michael Brown, Director of Parks and Recreation.

Danny Segundo, Director of Public Works, was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer by: Michael Brittain, Jeremy E. Ray American Legion Post 324.
2. Pledge by: Jimmy Baughman, Commander, Jeremy E. Ray American Legion Post 324.

C. PRESENTATIONS

1. **Presentation of Police Department Employee of the Third Quarter, 2014 – by Jimmy Baughman Commander and Howard Mead, Past Commander of the Jeremy E. Ray American Legion Post 324.**

Jimmy Baughman, Commander, and Howard Mead, Past Commander of the Jeremy E. Ray American Legion Post #324, along with Mayor Erskine, presented the Police Department Employee of the Third Quarter award to Officer Cary D. Hale.

D. 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 14-104(a) by adding a subsection (3) to include “home occupations” as they are permitted in District A.**

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 7:13 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 14-104(a) by adding a subsection (3) to include “home occupations” as they are permitted in District A.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

After opening the joint public hearing, Mayor Erskine called upon Christian Somers, the City Building Official, to summarize the subject of the public hearing. Mr. Somers explained that the City's current zoning ordinance allows for home occupations in zoning District A (single-family dwelling district) and zoning District C (townhouse/patio home district). However, it does not allow for home occupations in zoning District M (multi family dwelling district). City staff has recently been approached by a resident that lives in District M that wishes to work out of his place of residence. Mr. Somers then explained the restriction that would apply should the amendment be granted.

With no one desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:17 p.m.

- 2. 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) by adding a new subsection (23) to include "grocery store" as a permitted use regulation in District F.**

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 7:18 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) by adding a new subsection (23) to include "grocery store" as a permitted use regulation in District F.

After opening the joint public hearing, Mayor Erskine called upon Christian Somers, the City Building Official, to summarize the subject of the public hearing. Mr. Somers explained that in reviewing the City's current zoning ordinance Staff learned that there is no provision for grocery stores in zoning District F. Currently, the only place a grocery store is allowed is in zoning District H, which is an industrial district. He went on to explain that while District F provides for "retail sales," Staff recommends that "grocery store" be specifically listed as a permitted use in District F in order to clarify the permitted use.

With no one desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:20 p.m.

- 3. Conduct Joint Public Hearing with the Planning and Zoning Commission on the proposal to amend Chapter 14 Building and Development, Article I. in General, Section 14-5 Definitions, concerning amendments to the definitions of "family" and "single-family dwelling" to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act.**

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 7:21 p.m., stating that the purpose of the meeting was to give those in attendance the right

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

to speak and be heard concerning the proposal to amend Chapter 14 Building and Development, Article I. in General, Section 14-5 Definitions, concerning amendments to the definitions of “family” and “single-family dwelling” to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act.

After opening the joint public hearing, Mayor Erskine called upon Christian Somers, the City Building Official, to summarize the subject of the public hearing. Mr. Somers explained that City Staff has identified two community homes within the Jersey Village City limits. While they are allowed by state law to operate in single family districts, City Staff feels the need to adopt a definition that would mirror the State’s definition. Accordingly, the proposed amendments to the definitions of “family” and “single family dwelling” mirror the State’s definition.

With no one else desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:22 p.m.

The Planning and Zoning Commission retired from the City Council meeting at 7:22 p.m. to conduct its posted meeting agenda and prepare the final reports in connection with these joint public hearings.

E. BUDGET ITEMS

1. Discuss and consider approval of a motion to set the tax rate for debt service for tax year 2014.

Council Member Holden motioned to approved setting the Debt Service tax rate of \$.159978 per \$100 value for the year 2014. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

2. Discuss and consider approval of a motion to set the tax rate for maintenance and operation for tax year 2014.

Council Member Ray moved to approve setting the Maintenance and Operation tax rate of \$.582522 per \$100 value for the year 2014. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

3. Consider Ordinance No. 2014-32, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2014.

Council Member Sheppard moved to approve Ordinance No. 2014-32, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2014; providing for the date on which such taxes shall be due and payable; and providing for penalty and interest on all taxes not timely paid. She further moved that property taxes be increased by the adoption of a tax rate of .7425, which is effectively a 10.20 percent increase in the tax rate. Council Member Ray seconded the motion. The record vote follows:

Council Member Ray:	Aye	Council Member Beckwith:	Aye
Council Member Holden:	Aye	Council Member Sheppard:	Aye
Council Member Eustace:	Aye		

Mayor Erskine, although present, did not vote.

The motion carried.

ORDINANCE NO. 2014-32

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE YEAR 2014; PROVIDING FOR THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

F. 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.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 553-8625 – Mr. Maloy spoke with Council about the tax rate and tax revenue increase. He mentioned that according to his research, property tax revenue has increased for the past three years. He believes that these increases in property tax revenue are from increases in the property valuation. While he recognizes that the tax rate has stayed the same, he points out that tax revenues have increased and he wants to know when this is going to stop.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to City Council about Code Enforcement. He has concerns about the enforcement of our City Codes.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

He believes that the quality of code enforcement is directly correlated with the quality of life of Jersey Village residents. He gave examples of codes not being enforced and mentioned that these examples have been reported to the Code Enforcement Officer. He complained that he does not receive “feed-back” from the Code Enforcement Officer on violations that he reports.

G. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. He called attention to the Red Light Camera Annual Report, stating that since the cameras have been removed, there has been an increase in accidents at almost every location.

In addition to the items listed below, Eric Foerster, Chief of Police, introduced Officer Eric Lerma who has joined the department.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, Budget Projections as of September 2014; and Quarterly Investment Report, September 2014**
- 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, 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 Peace Officer - Eric Lerma**
- 10. 2014 Annual Red Light Camera Summary Report**

H. 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 Special Session Meeting held on September 11, 2014, the Regular Session Meeting held on September 15, 2014, the Special Session held on October 2, 2014, and the Special Session held October 6, 2014.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

2. **Consider Resolution No. 2014-51, authorizing and adopting a City of Jersey Village Financial Accounting Policy.**

RESOLUTION NO. 2014-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AND ADOPTING A CITY OF JERSEY VILLAGE FINANCIAL ACCOUNTING POLICY

3. **Consider Resolution No. 2014-52, appointing Dr. Walter Lee as Health Officer for the City of Jersey Village.**

RESOLUTION NO. 2014-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING CITY HEALTH OFFICER.

4. **Consider Resolution No. 2014-53, declaring surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

RESOLUTION NO. 2014-53

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.

Council Member Holden moved to approve items 1 through 4 on the consent agenda. Council Member Eustace seconded the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

I. REGULAR AGENDA

1. **Consider Resolution No. 2014-54, adopting and implementing a Speed Cushion Program for the City of Jersey Village.**

Michael Brown, Director of Parks and Recreation, introduced the item. The details of this program have heretofore been discussed in the City Council Work Session Meeting held this date. This item is to consider the desires of City Council.

Accordingly, Council Member Ray thanked staff for their work in preparing the Speed Cushion Program presented during the Work Session Meeting conducted earlier in the evening. He stated that additional discussion on this matter is needed and asked that the

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

City Secretary schedule an additional Work Session Meeting sometime before the next Regular Session Council Meeting in November. There will be no additional data or actions required by Staff for this meeting.

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

J. CLOSE THE REGULAR SESSION

Close the Regular Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney.

Mayor Erskine closed the Regular Session at 7:35 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney.

K. EXECUTIVE SESSION

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

L. ADJOURN EXECUTIVE SESSION

Mayor Erskine adjourned the Executive Session at 8:18 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

M. CONVENE REGULAR SESSION

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

With no discussion on the matter, Council Member Ray stated that in regards to the Summary Judgment that was made in favor of the City, I move to instruct our City Attorney to proceed with the City's defense on appeal. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

Mayor Erskine then called the remainder of the agenda in its regular order as follows:

I. REGULAR AGENDA - Continued

- 2. Consider Resolution No. 2014-55, authorizing the City Manager to enter into an agreement with the Backyard Investments, LTD dba The Backyard Grill to provide Food, Beverage, and alcoholic Beverage Service and related Concessions and Catering Service to patrons at the Jersey Meadow Golf Course.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

Michael Brown, Director of Parks and Recreation, introduced the item. Background information is as follows:

The proposal process began on September 4, 2014 with advertising in the Houston Chronicle followed by a Pre-Proposal Meeting on September 18, 2014 at 10:00 a.m. The proposal opening was held on September 30, 2014 at 2:00 p.m. in the Civic Center located at 16327 Lakeview in the City of Jersey Village. The proposal from Backyard Investments, LTD dba The Backyard Grill was the only proposal received.

Nonetheless, the City's Proposal Evaluation Committee met on October 2, 2014 to review the Backyard Investments, LTD dba The Backyard Grill's proposal and found that it met the following proposal requirements:

- A. Recent experience, satisfactory to the Evaluation Committee;
- B. Responsiveness and feasibility of plan for delivery of services;
- C. PROPOSER'S committed income and commission percentage payable to CITY;
and
- D. PROPOSER'S ability, capacity, skill, and financial strength to provide service.

Having only the one proposal, the Committee recommended that Chef Tonné from the State's Purchasing Contract be contacted in order to find out the specifics of her contract with the State for concession services. Accordingly, Chef Tonné was contacted. Shortly thereafter the City received an email from Chef Tonné declining the offer to bid.

Having no other proposals to evaluate, and given that Backyard Investments, LTD dba The Backyard Grill's proposal met the proposal requirements, the Proposal Evaluation Committee recommends that Backyard Investments, LTD dba The Backyard Grill be selected to provide food, beverage, and alcoholic beverage services and related concessions and catering services to patrons at the Jersey Meadow Golf Course.

With limited discussion on this item, Council Member Sheppard moved to approve Resolution No. 2014-55, authorizing the City Manager to enter into an agreement with the Backyard Investments, LTD dba The Backyard Grill to provide Food, Beverage, and alcoholic Beverage Service and related Concessions and Catering Service to patrons at the Jersey Meadow Golf Course. Council Member Eustace seconded the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

AGREEMENT WITH BACKYARD INVESTMENTS, LTD DBA THE BACKYARD GRILL, TO PROVIDE FOOD, BEVERAGE, AND ALCOHOLIC BEVERAGE SERVICE AND RELATED CONCESSIONS AND CATERING SERVICE TO PATRONS AT THE JERSEY MEADOW GOLF COURSE.

- 3. Consider Resolution No. 2014-56, receiving the Planning and Zoning Commission's Final Report as it relates amending the zoning ordinance at Chapter 14, Article IV, Section 14-104(a) by adding a subsection (3) to include "home occupations" as they are permitted in District A.**

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

The Planning and Zoning Commission met on September 11, 2014 and recommended in its preliminary report that amendments be made to the City's comprehensive zoning ordinance at Chapter 14, Article IV, Section 14-104(a) to include "Home Occupations" as a use regulation in District M.

The preliminary report was submitted to Council at its September 15, 2014 meeting, and Joint Public Hearings have been ordered for October 20, 2014.

On October 20, 2014 the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

This item is to receive the Planning and Zoning Commission's Final Report.

With limited discussion on this matter, Council Member Beckwith moved to approve Resolution No. 2014-56, receiving the Planning and Zoning Commission's Final Report as it relates to amending the zoning ordinance at Chapter 14, Article IV, Section 14-104(a) by adding a subsection (3) to include "home occupations" as they are permitted in District A. Council Member Ray moved to second the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-56

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 CHAPTER 14, ARTICLE IV, SECTION 14-104(A) TO INCLUDE "HOME OCCUPATIONS" AS A USE REGULATION IN DISTRICT M.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

4. **Consider Ordinance No. 2014-33, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, Article IV, section 14-104(a) by adding a subsection (3) to include “home occupations” as a use regulation; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

With no discussion on this matter, Council Member Holden moved to approve Ordinance No. 2014-33, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, Article IV, section 14-104(a) by adding a subsection (3) to include “home occupations” as a use regulation; 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 moved to second the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

ORDINANCE NO. 2014-33

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14, ARTICLE IV, SECTION 14-104(A) BY ADDING A SUBSECTION (3) TO INCLUDE “HOME OCCUPATIONS” AS A USE REGULATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

5. **Consider Resolution No. 2014-57, 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) by adding a new subsection (23) to include “grocery store” as a permitted use regulation in District F.**

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

The Planning and Zoning Commission met on September 11, 2014 and recommended in its preliminary report that amendments be made to the City’s comprehensive zoning ordinance at Chapter 14, Article IV, Section 14-105(a) to include “Grocery Store” as a use regulation in District F.

The preliminary report was submitted to Council at its September 15, 2014 meeting, and Joint Public Hearings have been ordered for October 20, 2014.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

On October 20, 2014 the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

This item is to receive the Planning and Zoning Commission's Final Report.

With no discussion on this matter, Council Member Ray moved to approve Resolution No. 2014-57, 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) by adding a new subsection (23) to include "grocery store" as a permitted use regulation in District F. Council Member Eustace moved to second the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-57

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 CHAPTER 14, ARTICLE IV, SECTION 14-105(A) TO INCLUDE "GROCERY STORE" AS A USE REGULATION IN DISTRICT F.

6. **Consider Ordinance No. 2014-34, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, Article IV, Section 14-105(a) by adding a new subsection (23) to include "grocery store" as a use regulation; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

With limited discussion on this matter, Council Member Sheppard moved to approve Ordinance No. 2014-34, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, Article IV, Section 14-105(a) by adding a new subsection (23) to include "grocery store" as a use regulation; 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 Eustace moved to second the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

ORDINANCE NO. 2014-34

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14, ARTICLE IV, SECTION 14-105(a)(23) BY ADDING A SUBSECTION TO INCLUDE “GROCERY STORE” AS A USE REGULATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

7. **Consider Resolution No. 2014-58, receiving the Planning and Zoning Commission’s Final Report as it relates to amendments to Chapter 14 Building and Development, Article I. in General, Section 14-5 Definitions, concerning amendments to the definitions of “family” and “single-family dwelling” to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act.**

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

The Planning and Zoning Commission met on September 11, and recommended in its preliminary report to amend Chapter 14, Article I, Section 14-5 to include a definition for “community home” in District A.

The preliminary report was submitted to Council at its September 15, 2014 meeting, and Joint Public Hearings have been ordered for October 20, 2014.

On October 20, 2014 the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

With no discussion on this matter, Council Member Beckwith moved to approve Resolution No. 2014-58, receiving the Planning and Zoning Commission’s Final Report as it relates to amendments to Chapter 14 Building and Development, Article I. in General, Section 14-5 Definitions, concerning amendments to the definitions of “family” and “single-family dwelling” to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act. Council Member Ray moved to second the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S FINAL REPORT TO COUNCIL ON THE PROPOSAL TO AMEND CHAPTER 14, ARTICLE

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

I, SECTION 14-5, CONCERNING AMENDMENTS TO THE DEFINITIONS OF “FAMILY” AND “SINGLE-FAMILY DWELLING” TO PROVIDE FOR GROUPS PROTECTED BY THE FAIR HOUSING ACT AND TEXAS COMMUNITY HOMES FOR DISABLED PERSONS LOCATION ACT.

- 8. Consider Ordinance No. 2014-35, amending the Code of Ordinances of the City of Jersey Village, by amending Chapter 14 Building and Development, Article I. In general, Section 14-5 definitions to amend the definitions of “family” and “single-family dwelling” to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act; providing a severability clause; providing a penalty as provide by section 1-8 of the code; and providing an effective date.**

With no discussion on this matter, Council Member Sheppard moved to approve Ordinance No. 2014-35, amending the Code of Ordinances of the City of Jersey Village, by amending Chapter 14 Building and Development, Article I. In general, Section 14-5 definitions to amend the definitions of “family” and “single-family dwelling” to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act; providing a severability clause; providing a penalty as provide by section 1-8 of the code; and providing an effective date. Council Member Beckwith moved to second the motion. The vote follows:

Ayes: Council Members Ray, Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

ORDINANCE NO. 2014-35

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, BY AMENDING CHAPTER 14 BUILDING AND DEVELOPMENT, ARTICLE I. IN GENERAL, SECTION 14-5 DEFINITIONS TO AMEND THE DEFINITIONS OF “FAMILY” AND “SINGLE-FAMILY DWELLING” TO PROVIDE FOR GROUPS PROTECTED BY THE FAIR HOUSING ACT AND TEXAS COMMUNITY HOMES FOR DISABLED PERSONS LOCATION ACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AS PROVIDE BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

N. 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;

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 20, 2014

- 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 Beckwith: Council Member Beckwith stated that he appreciates the efforts of Staff on the Speed Cushion Program. He also thanked those attending the meeting.

Council Member Holden: Council Member Holden also thanked Staff for the work on the Speed Cushion Program and thanked the Planning and Zoning Commission and all those serving on City Boards for their work.

Council Member Ray: Council Member Ray thanked Staff for their hard work and also thanked the Planning and Zoning Commission members.

Council Member Sheppard: Council Member Sheppard thanked Staff for their work on the Speed Cushion Program. She also announced the Fall Frolic which will be Friday, October 24, 2014 at 6:30 p.m.

Council Member Eustace: Council Member Eustace thanked Staff for the excellent work on the Speed Cushion Program

Mayor Erskine: Mayor Erskine did not make any comments.

O. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:25 p.m.

Lorri Coody, City Secretary