

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MARCH 16, 2015 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 7:00 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	

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

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

- 1. Prayer and Pledge by: Pulpit Minister, John Gooch, Jersey Village Church of Christ.**

**C. 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.

**D. CITY MANAGER'S REPORT**

City Manager, Mike Castro, gave his monthly report. As part of the report, he recognized outgoing Interim Public Works Director Gordon Mayer and incoming Public Works Director Brian Breeding. He also recognized Michael Brown, Director of Parks and Recreation, for his years of service with the City. Director Brown will retire on March 31, 2015.

- 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 February 2015.**
- 2. Open Records Requests**
- 3. Fire Departmental Report and Communication Division's Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service 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 and Phase III Street Project Update**
- 7. Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
- 8. Report from Code Enforcement**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

**E. 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 February 16, 2015.**
- 2. Consider Ordinance No. 2015-09, amending the City's budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, in the amount of \$10,000 to cover cost associated with Consultant Services in the City's Community Development Department.**

ORDINANCE NO. 2015-09

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 BY INCREASING LINE ITEM 01-31-5515 (CONSULTANTS) IN THE AMOUNT NOT TO EXCEED \$10,000.

Having removed item (3) from the consent agenda, Council Member Beckwith moved to approve items 1 and 2, excluding item 3, on the consent agenda. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Mayor Erskine then called item number 3 from the consent agenda for discussion as follows:

- 3. Consider Ordinance No. 2015-10, allowing a budgetary amendment to the 2014-15 budget, and authorizing the purchase of law enforcement equipment (LaserCam4 digital video LIDAR).**

Eric Foerster, Chief of Police, introduced the item. He explained that the department currently uses handheld directional K-band radars for traffic control. While these radars are a useful tool, they do not provide irrefutable evidence for traffic infractions.

The Chief told City Council that the LaserCam4 is a handheld digital video LIDAR that provides speed measurement as well as photographic/video evidence to support traffic infractions. LaserCam4 is more accurate than radars and results in a higher rate of conviction in court. This device can also be used in highly congestible areas like Jersey Village.

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

Kustom Signals is the sole source supplier of the LaserCam4. The Chief directed Council's attention to the quote of \$7,683.00 included in the meeting packet. He stated that the quote includes the price for the product and a five year warranty.

Council engaged in discussion about the potential of this system and how it compares to what is currently being used by the Department. Benefits that could be realized by the Court in processing traffic citations were also discussed. Some members felt that additional units may be advantageous. The Chief explained that the department wanted to move forward with the requested unit, testing all avenues to insure its usefulness before purchasing additional units. Council instructed the Chief to make his review and if necessary, include the purchase of additional units in a supplemental request during the 2015-2016 budget process.

With no further discussion on the matter, Council Member Ray moved to approve Ordinance No. 2015-10, allowing a budgetary amendment to the 2014-15 budget, and authorizing the purchase of law enforcement equipment (LaserCam4 digital video LIDAR). Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-10

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING TRAFFIC SAFETY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015, AUTHORIZING THE PURCHASE OF LAW ENFORCEMENT EQUIPMENT; AND PROVIDING FOR SEVERABILITY.

**F. REGULAR AGENDA**

- 1. Consider Ordinance 2015-11, authorizing and ordering the issuance of the City of Jersey Village, Texas Certificates of Obligation, Series 2015; in an aggregate principal amount of \$8,000,000 for the acquisition, construction and improvement of certain Public Works; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; and making other provision regarding such Certificates, including use of the proceeds thereof; and matters incident thereto.**

Isabel Kato, Director of Finance, introduced the item. Background information is as follows:

On January 19, 2015, with Resolution 2015-01, City Council authorized the publication of Notice of Intention to issue Certificates of Obligation, in an aggregate principal

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

amount not to exceed the \$8,000,000. At that same meeting, staff explained to City Council that the Certificates of Obligation will be used to fund the Segment 7 portion of the U.S. 290 expansion within the City limits of Jersey Village.

With the approval of Ordinance 2015-11, City Council is authorizing and ordering the issuance of the City of Jersey Village, Texas Certificates of Obligation, Series 2015, in an aggregate principal amount of \$8,000,000 for the acquisition, construction and improvement of certain Public Works; prescribing the terms and from thereof, providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; and making other provision regarding such Certificates, including use of the proceeds thereof; and matters incident thereto.

Mrs. Kato introduced the City's Financial Advisor, John Robuck, who gave a short presentation covering the following information:

- Current Market Conditions
- Summary of Bids
- Sources and Uses of Funds
- Debt Service Requirements

In completing the presentation, Mr. Robuck answered questions asked by the City Council.

With no further discussion on the matter, Council Member Sheppard moved to approve Ordinance 2015-11, authorizing and ordering the issuance of the City of Jersey Village, Texas Certificates of Obligation, Series 2015; in an aggregate principal amount of \$8,000,000 for the acquisition, construction and improvement of certain Public Works; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; and making other provision regarding such Certificates, including use of the proceeds thereof; and matters incident thereto. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-11

ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF CITY OF JERSEY VILLAGE, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2015; IN AN AGGREGATE PRINCIPAL AMOUNT NOT OF \$8,000,000 FOR THE ACQUISITION, CONSTRUCTION AND IMPROVEMENTS OF CERTAIN PUBLIC WORKS; PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AWARDING THE SALE THEREOF; AND MAKING OTHER PROVISIONS

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

REGARDING SUCH CERTIFICATES, INCLUDING USE OF THE PROCEEDS THEREOF; AND MATTERS INCIDENT THERETO.

**2. Consider Resolution No. 2015-10, reviewing and accepting the 2014 Comprehensive Annual Financial Report (CAFR).**

Isabel Kato, Finance Director, introduced the item. The City of Jersey Village is required to publish each year a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles (GAAP), and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants.

She introduced Ben Cohen from Belt Harris & Associates LLLP who gave a presentation based on the audit findings and the financial position of the City.

After a brief question and answer session concerning the findings, Council Member Beckwith moved to approve Resolution No. 2015-10, reviewing and accepting the 2014 Comprehensive Annual Financial Report (CAFR). Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, REVIEWING AND ACCEPTING THE 2014 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR).

*Items 3 thru 6 were taken together for discussion purposes. Following the discussion, each item was addressed separately.*

- 3. Consider Resolution No. 2015-11, terminating the contract with Tascon Industries, Inc., for curbside collection of recyclable materials with an effective date of May 13, 2015.**
- 4. Consider Resolution No. 2015-12, authorizing the City Manager to negotiate an amendment to the contract with Waste Corporation of Texas, L.P., to include curbside collection of recyclable materials with an effective date of May 14, 2015.**
- 5. Consider Resolution No. 2015-13, providing notice to terminate the residential solid waste collection and disposal contract with Waste Corporation of Texas, L.P., effective September 30, 2015, and to authorize the City Manager to advertise for bids for a residential solid waste collection and disposal contract for a three year period beginning October 1, 2015.**
- 6. Consider Resolution No. 2015-14, to authorize the City Manager to execute an**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

**automatic extension of the residential solid waste collection and disposal contract with Waste Corporation of Texas, L.P., for an additional three year period beginning October 1, 2015.**

Gordon Mayer, Interim Public Works Director, introduced the items. He explained that the City's current contract for residential collection of recyclable materials is with Tascon Industries, Inc., and began December 1, 2014 for one (1) year. On February 19, 2015, under the terms of the contract, the City received notice from Tascon's president, Jim Adamoli, that they would be terminating their contract for collection of recyclables. With the 90 days considered, Tascon's last day of service for the City will be May 13, 2015. Tascon's decision to terminate the contract was based on low participation, and an increase in non-recyclable materials being bagged for collection.

Mr. Mayer further explained that in an effort to continue recycling service for the remainder of the fiscal year, City staff requested pricing information from the current solid waste collection provider, Waste Corporation of Texas, L.P. (WCA). WCA has proposed options for curbside recycling service for Council to consider. Staff recommends the Council consider Option 1 for the remainder of Fiscal Year 2014-2015 if Council wishes to continue curbside recycling service using WCA as the vendor. The pricing options below are for recycling only for each household per month. The current solid waste collection service charge of \$11.58 is in addition to these charges. WCA currently services 2071 households.

Existing Tascon Contract (trash bags, sorting required)	\$1.33
Option 1: 18 gallon recycle bin (no sorting necessary)	\$3.00
Option 2: 65 gallon recycle cart (no sorting necessary)	\$3.50

To complicate matters further, the City's contract with Waste Corporation of Texas, L.P. (WCA), began on October 1, 2012. The initial contract term is for 3 years to September 30, 2015. The initial term automatically extends for one additional 3 year term unless either party notifies the other in writing, not less than 90 days prior to the end of the current term, of its intention to terminate the contract. The initial rate was \$10.95 per household with an annual adjustment based on 100% of the CPI. The current rate is \$11.58 per household.

Because the initial contract period will soon end, Staff presents City Council with the option to extend the WCA contract for another three (3) years effective October 1, 2015 or the option to direct staff to go out for bid for these services with an effective date of October 1, 2015.

In completing the introduction of the items, Council engaged in discussion about the various options before them. They also discussed the participation rate of recycling by Jersey Village residents, which is less than 25% even though the city is charged for each home whether they participate in recycling or not. Council then discussed the size of the bins that will be provided by WCA.

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

Some members wondered if Tascon would consider finishing the yearly contract if the City paid them additional monies. However, staff explained that Tascon's decision to terminate the contract was based on low participation, an increase in non-recyclable materials being bagged for collection, and manpower shortages. They are not interested in continuing.

With this in mind, Council discussed that participation may increase under the WCA program since residents will not have to sort items and every household would receive a bin. Discussion was had on the rates for the WCA service. The prices are not fixed as they are adjusted annually by the CPI, and they differ depending upon the length of the program.

Discussion was had on whether the WCA service should be obtained for the remainder of the contract (through September 30, 2015) or if it should begin now and be extended for another three (3) years. A representative from WCA was present at the meeting and explained that to provide the service for a few short months is quite expensive because typically the cost of the bins is covered over the length of the service contract - the shorter the contract, the more expensive the monthly rate.

City Council then asked the City Manager his opinion on what the bids might be should the Council not extend the WCA contract. City Manager Castro explained that in going out for bid there is always a risk that the costs will be much greater; however, he told Council that he believes the bids would be in the neighborhood of that currently being charged by WCA.

Staff explained that the increase in recycling would be paid by the general fund.

With no further discussion, City Council considered all four (4) items on the agenda pertaining to this issue as follows:

**3. Consider Resolution No. 2015-11, terminating the contract with Tascon Industries, Inc., for curbside collection of recyclable materials with an effective date of May 13, 2015.**

With no further discussion on the matter, Council Member Ray moved to approve Resolution No. 2015-11, terminating the contract with Tascon Industries, Inc., for curbside collection of recyclable materials with an effective date of May 13, 2015. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-11

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, TERMINATING THE CONTRACT WITH TASCAN INDUSTRIES, INC. FOR CURBSIDE COLLECTION OF RECYCLABLE MATERIALS WITH AN EFFECTIVE DATE OF MAY 13, 2015.

6. **Consider Resolution No. 2015-14, to authorize the City Manager to execute an automatic extension of the residential solid waste collection and disposal contract with Waste Corporation of Texas, L.P., for an additional three year period beginning October 1, 2015.**

With no further discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2015-14, to authorize the City Manager to execute an automatic extension of the residential solid waste collection and disposal contract with Waste Corporation of Texas, L.P., for an additional three year period beginning October 1, 2015. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AUTOMATIC EXTENSION OF THE CONTRACT FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL WITH WCA WASTE CORPORATION OF TEXAS, L.P., FOR A THREE YEAR PERIOD BEGINNING OCTOBER 1, 2015.

5. **Consider Resolution No. 2015-13, providing notice to terminate the residential solid waste collection and disposal contract with Waste Corporation of Texas, L.P., effective September 30, 2015, and to authorize the City Manager to advertise for bids for a residential solid waste collection and disposal contract for a three year period beginning October 1, 2015.**

This item was not called since Resolution 2015-14 was approved.

RESOLUTION NO. 2015-13 – NOT CALLED – NO ACTION TAKEN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, PROVIDING NOTICE TO TERMINATE THE RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL CONTRACT WITH WASTE CORPORATION OF TEXAS, L.P., EFFECTIVE SEPTEMBER 30, 2015, AND TO AUTHORIZE THE CITY MANAGER TO ADVERTISE FOR BIDS FOR A RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL CONTRACT FOR A THREE YEAR PERIOD BEGINNING OCTOBER 1, 2015.



REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

- 4. Consider Resolution No. 2015-12, authorizing the City Manager to negotiate an amendment to the contract with Waste Corporation of Texas, L.P., to include curbside collection of recyclable materials with an effective date of May 14, 2015.**

Before considering the Resolution on this item, Council engaged in discussion on the various bin sizes for the WCA recycling program. There is an 18 gallon bin and a 65 gallon bin. The 65 gallon bin is on wheels and has a cover, while the 18 gallon bin must be carried to the curb and does not have a cover. While the 18 gallon is more cost effective, the 65 gallon bin will be easier for residents to get to the curb since it rolls. Additionally, most members liked that it included a cover.

With no further discussion on the matter, Council Member Ray moved to approve Resolution No. 2015-12, authorizing the City Manager to negotiate an amendment to the contract with Waste Corporation of Texas, L.P., to include curbside collection of recyclable materials in 65 gallon bins with an effective date of May 14, 2015. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AMENDMENT TO THE CONTRACT WITH WASTE CORPORATION OF TEXAS, L.P., TO INCLUDE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS WITH AN EFFECTIVE DATE OF MAY 14, 2015.

- 7. Consider Resolution No. 2015-15, setting a date and time to conduct the 2015-2016 Council/Staff Budget Retreat.**

Mike Castro, City Manager, introduced the item. Every year, after the May Election, Staff meets with Council in a retreat setting to discuss the financial condition of the city. During this retreat, in addition to receiving information about the overall condition of the City, Council receives information about:

- Accomplishments achieved since the last retreat
- Supplemental requests being made for the upcoming budget year
- Short-term concerns for the City with a review of both short and long-term incentives
- Departmental presentations

Proposed dates for the annual Council/Staff Budget Retreat are the:

- 1<sup>st</sup> Friday following the General Election at 9:00 a.m. (May 15, 2015)

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

- 1<sup>st</sup> Saturday following the General Election at 9:00 a.m. (May 16, 2015)
- 1<sup>st</sup> three days of the 2<sup>nd</sup> week following the General Election (May 18, 19 and 20, 2015) beginning at 6:00 p.m.

This item is to select a date for the annual Council/Staff Budget Retreat.

After limited discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2015-15, setting a date and time to conduct the 2015-2016 Council/Staff Budget Retreat as the 1<sup>st</sup> three days of the 2<sup>nd</sup> week following the General Election (May 18, 19 and 20, 2015) beginning at 6:00 p.m. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING A DATE AND TIME TO CONDUCT THE 2015-2016 COUNCIL/STAFF BUDGET RETREAT.

**8. Discuss and take appropriate action concerning the preferred procedure/steps to be used to fill the vacancy created on City Council once the May 9, 2015 election becomes final.**

Mike Castro, City Manager, introduced the item. Council Member Ray has submitted his application for a place on the May 9, 2015 ballot as Mayor. Given that no other applicants have submitted for this position, Council Member Ray is running unopposed. Accordingly, once he takes the oath as Mayor on May 18, 2015, he will automatically resign his position as Council Member Place 1, creating a vacancy on City Council.

The City Charter provides that vacancies on the Council arising from any cause shall be filled by a vote of the Council. There are no further guidelines and there is not an approved policy to fill council vacancies.

City Staff wishes to obtain direction from council as to the preferred procedure/steps to be used to fill the vacancy on May 18, 2015 or as soon thereafter as possible.

Council engaged in discussion about the process. The consensus was that the interview process worked well last time so the same process should be followed again.

With no further discussion on the matter, Council Member Sheppard moved that an ad be placed in the JV Star and on the City's website announcing the vacancy effective May 18, 2015 and that a Special Session City council meeting be set for May 11, 2015 at 6:00

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

p.m. in order to receive presentations from interested candidates. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

- 9. Consider Resolution No. 2015-16, receiving the Planning and Zoning Commission’s Final Report as it relates to amending the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “health club” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club.”**

Debra Mergel, Planning and Zoning Chairman, introduced the item. She told City Council that the Commission considered several options for amending the City’s Code of Ordinances in connection with “Health Clubs,” and recommends that Council **deny** the request of Gordon NW Village LP to amend the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “health club” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club.” The Commission further recommends that the applicant present a new application for the Commission’s consideration, requesting that “health club” be added to the Code of Ordinances as a specific use, requiring a specific use permit.

In receiving the report from Chairman Mergel, City Council discussed with her the concerns of P&Z in granting this request. She explained that the Commission felt that it is necessary to review the types of businesses that might be established under this provision and allowing them with a Specific Use Permit provides the avenue for review and restrictions if necessary.

With no further discussion on the matter, Council Member Ray moved to approve Resolution No. 2015-16, receiving the Planning and Zoning Commission’s Final Report as it relates to amending the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “health club” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club.” 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. 2015-16

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

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 JERSEY VILLAGE CODE OF ORDINANCES, CHAPTER 14, ARTICLE IV, SECTION 14-105(A) BY ADDING A NEW SUBSECTION (24) TO INCLUDE "HEALTH CLUB" AS A USE REGULATION IN DISTRICT F; AND AMENDING SECTION 14-5 BY ADDING A DEFINITION FOR "HEALTH CLUB."

10. **Consider Ordinance No. 2015-12, 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 (24) to include "health club" as a use regulation in District F; and amending Section 14-5 by adding a definition for "health club;" providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

Gordon Mayer, Interim Public Works Director, introduced the item explaining that this item is to take final action on the request of Gordon NW Village LP to amend the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include "health club" as a use regulation in District F; and to amend Section 14-5 by adding a definition for "health club."

In receiving this introduction, Mayor Erskine called for discussion on the matter. Hearing no discussion he called for a motion to approve the Ordinance. None being made, Ordinance No. 2015-12 failed for lack of a motion.

ORDINANCE NO. 2015-12 - FAILED FOR LACK OF A MOTION TO APPROVE

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) BY ADDING A NEW SUBSECTION (24) TO INCLUDE "HEALTH CLUB" AS A USE REGULATION IN DISTRICT F; AND AMENDING SECTION 14-5 BY ADDING A DEFINITION FOR "HEALTH CLUB;" PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

**G. CLOSE THE REGULAR SESSION**

Mayor Erskine closed the Regular Session at 8:35 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 - Deliberation Regarding Economic Development Negotiations.

**H. EXECUTIVE SESSION**

1. **Deliberations regarding economic development negotiations, pursuant to the Texas Open Meetings Act Section 551.087.**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

**I. ADJOURN EXECUTIVE SESSION**

Mayor Erskine adjourned the Executive Session at 9:37 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

**J. CONVENE REGULAR SESSION**

**K. MAYOR AND COUNCIL COMMENTS**

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

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

**Council Member Eustace:** Council Member Eustace made no comments.

**Council Member Sheppard:** Council Member Sheppard thanked Gordon Mayer for his service to the City. She recognized and welcomed Brian Breeding as the new Public Works Director. She also recognized Michael Brown for his years of service with the City and wished him well in retirement.

**Council Member Ray:** Council Member Ray also thanked Gordon Mayer for his service to the City and welcomed Brian Breeding as the new Public Works Director. He also recognized Michael Brown for his years of service with the City and wished him well in retirement.

**Council Member Holden:** Council Member Holden also thanked Gordon Mayer for his service to the City and welcomed Brian Breeding as the new Public Works Director. He also recognized Michael Brown for his years of service with the City and wished him well in retirement. He thanked Isabel Kato for her work on the CAFR.

**Council Member Beckwith:** Council Member Beckwith also thanked Gordon Mayer for his service to the City and welcomed Brian Breeding as the new Public Works Director. He also

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – March 16, 2015

recognized Michael Brown for his years of service with the City and wished him well in retirement. He thanked Isabel Kato for her work on the CAFR.

**Mayor Erskine:** Mayor Erskine also thanked Gordon Mayer for his service to the City and welcomed Brian Breeding as the new Public Works Director. He also recognized Michael Brown for his years of service with the City and wished him well in retirement.

**I. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 9:40 p.m.

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Lorri Coody, City Secretary