

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JUNE 15, 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 Ray at 7:00 p.m. with the following present:

|                                |                                |
|--------------------------------|--------------------------------|
| Mayor, Justin Ray              | City Manager, Mike Castro, PhD |
| Council Member, Andrew Mitcham | City Secretary, Lorri Coody    |
| Council Member, Greg Holden    | City Attorney, Mary Ann Powell |
| Council Member, C. J. Harper   |                                |
| Council Member, Sheri Sheppard |                                |
| Council Member, Tom Eustace    |                                |

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Isabel Kato, Finance Director; Brian Breeding, Public Works Director; and Kimberly Terrell, Director of Parks and Recreation.

City Attorney, Mary Ann Powell, was not present when the meeting was called to order, but joined the meeting in progress at 7:55 p.m.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

- 1. Prayer and Pledge by:** Andrew Werley, Lead Pastor, Jersey Village Baptist Church

**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.

**Jim Pulliam, 15713 Tenbury, Jersey Village, TX (713) 983-0932** – Mr. Pulliam spoke to City Council about the “great rain” of 2015. He provided information about the “great rain” as well as historical information about flooding in Jersey Village.

**Rick Faircloth, 16010 Lakeview Drive, Jersey Village, TX (713) 466-8065** – Mr. Faircloth spoke to City Council about the Jersey Village Fire Department. He said that he has lived in Jersey Village for 35 years and during the course of those years he has had to use the Fire Department of two occasions. He expressed his gratitude for their service. He thanked the Fire Department for all that they do.

**D. CITY MANAGER’S REPORT**

In addition to the following items contained in the City Manager’s Report, City Manager, Mike Castro, told the Council that the Emergency Operations Center for the City had be activated in connection with the storm in the Gulf of Mexico. He told Council that some 45 staff members will be on hand through the night and into tomorrow to address any storm related issues. He also told the Council that Staff is currently monitoring the storm and participating in the National Weather Service phone calls in order to learn more about the affects that this storm will have on the City. The rest of the City Manager’s report follows:

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1. **Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report - April 2015, and Budget Projections as of May 2015**
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, 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 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**

**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 May 18, 2015, the Budget Work Session Meeting held on May 19, 2015, attendance at the CPAC Public Meeting held May 28, 2015, and the Special Session held on June 1, 2015.**
2. **Consider Ordinance No. 2015-16, correcting errors in Ordinance 2013-06 which was adopted on March 18, 2013 in order to correct errors in Ordinance 2012-12 adopted April 16, 2012 pertaining certain Articles and Sections of Chapter 70 of the Code of Ordinances; establishing a new rate structure for water and wastewater services.**

ORDINANCE NO. 2015-16

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CORRECTING ERRORS IN ORDINANCE 2013-06 WHICH WAS ADOPTED ON MARCH 18, 2013 IN ORDER TO CORRECT ERRORS IN ORDINANCE 2012-12 ADOPTED APRIL 16, 2012, PERTAINING CERTAIN ARTICLES AND SECTIONS OF CHAPTER 70 OF THE CODE OF ORDINANCES; ESTABLISHING A NEW RATE STRUCTURE FOR WATER AND WASTEWATER SERVICES.

3. **Consider Ordinance No. 2015-17, amending the General Fund Budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 in the amount not to exceed \$3,800 to increase line item 01-30-5030 from the General Fund balance in order to cover car allowance bi-weekly payments to the Public Works Director.**

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ORDINANCE NO. 2015-17

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 IN THE AMOUNT NOT TO EXCEED \$3,800 TO INCREASE LINE ITEM 01-30-5030 FROM THE GENERAL FUND BALANCE IN ORDER TO COVER CAR ALLOWANCE BI-WEEKLY PAYMENTS TO THE PUBLIC WORKS DIRECTOR.

- 4. Consider Resolution No. 2015-27, approving participation by the City of Jersey Village as a partner with the Harris County Emergency Management Plan, and authorizing the Mayor to sign the Approval and Implementation sheet on behalf of the City.**

RESOLUTION NO. 2015-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING PARTICIPATION BY THE CITY OF JERSEY VILLAGE AS A PARTNER WITH THE HARRIS COUNTY EMERGENCY MANAGEMENT PLAN, AND AUTHORIZING THE MAYOR TO SIGN THE APPROVAL AND IMPLEMENTATION SHEET ON BEHALF OF THE CITY.

- 5. Consider Resolution No. 2015-28, authorizing the City Manager to enter into a contract with Minuteman Press Northwest for the printing and mailing of the monthly Jersey Village Star newsletter in the amount of \$460.00 per month from August 2015 to July 2017.**

RESOLUTION NO. 2015-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH MINUTEMAN PRESS NORTHWEST.

Council Member Holden moved to approve items 1 through 5 on the consent agenda. Council Member Harper seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Harper, Sheppard, and Eustace

Nays: None

The motion carried.

**F. REGULAR AGENDA**

- 1. Receive the Golf Course Advisory Committee Report.**

Kimberly Terrell, Director of Parks and Recreation, introduced the item. She explained that the By-Laws of the Golf Course Advisory Committee require that the Committee

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report their activity to the Council quarterly. This item is to receive the report. She told Council that Chairman Fair was unable to attend the meeting, but has provided a written report, which is included in the meeting packet.

With City Council having no questions pertaining to the report, Council Member Mitcham moved that the report be received. Council Member Eustace seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Harper, Sheppard, and Eustace

Nays: None

The motion carried.

**2. Discuss and take appropriate action concerning the creation of a committee tasked with studying flood mitigation.**

Council Member Harper introduced the item. He told Council that the Comprehensive Planning Advisory Committee has done an outstanding job in working with the Consultants on the City's Comprehensive Plan. He stated that the Committee will recommend a study on flooding in Jersey Village. Council Member Harper stated that there are many views on how to proceed with such a study and he recognized that many residents are not up to date on what has been done, what is being done, and what will be done to reduce the risk of flooding in Jersey Village. He also recognized that the majority of the work will be done by the Harris County Flood Control District (HCFCD). However, he would like Council to establish a committee tasked to study flood mitigation in Jersey Village. He stated that the committee should have the authority to contact Harris County Flood Control District as necessary and should be required to file a written report with City Council as to their findings. He would like that the process include a public hearing for public input.

Council discussed the proposal to create a flood committee. Some felt that committees are helpful, but in this instance a committee may not be effective. Others felt that a significant amount of staff time would be needed to assist the committee.

Council discussed the membership of such a committee. Some felt that a certain expertise would be necessary, a membership well versed in flood control with a set scope/focus/responsibility.

Council then discussed the possibility of contacting HCFCD in order to receive an update of what has been done, what is being done, and what will be done to reduce the risk of flooding in Jersey Village. Then, based upon the information received from HCFCD, Council can decide if a committee is needed, and if so, what specific duties and responsibilities would be assigned to the committee.

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Some Council Members felt that flooding may be more of a “perception” issue rather than an actual flooding issue; and as a result, perhaps something needs to be done to address the perception flooding is still an issue in Jersey Village.

Council then discussed the need to set a date by which information could be received from HCFCD in order that residents can see that City Council is taking action to address flooding concerns.

In response to a question concerning the amount of contact that City Staff has had with HCFCD, City Manager Castro explained that the most recent contact had to do with the 43 acre detention pond. He then explained that the next contact would concern channel improvements.

Some Council Members felt that the committee could be tasked with meeting with HCFCD directly, but the consensus was that City Council could reach out to HCFCD directly and a committee is not needed for this dialogue.

In discussing this issue, many Council Members felt that an update from HCFCD would be most helpful and beneficial, and wanted to ask them to come and make a presentation to City Council covering what has been done, what is being done, and what will be done to reduce the risk of flooding in Jersey Village.

City Manager Castro explained that, in the past, HCFCD gave a presentation in Jersey Village that did not go well. As a result, they may not be receptive to our invitation. Nonetheless, it was the consensus of City Council that we extend the invitation.

Council then discussed the formation of a committee – the scope, membership, term, etc. City Council wanted to know if other cities have created such a committee and, if so, did they address scope, membership, term, etc.

Council closed the discussion with the consensus that an invitation be extended to HCFCD to give a presentation at a future Council Meeting covering what has been done, what is being done, and what will be done to reduce the risk of flooding in Jersey Village; and, if HCFCD does not accept the invitation for a public presentation, perhaps a few of the Council Members and Staff members can meet with them one on one.

*With no further discussion, Mayor Ray called the next item as follows:*

- 3. Discuss with possible action either a contract extension with the audit firm of Belt Harris Pechacek, LLLP or the preparation of an RFP for audit services for a period of three year.**

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

The contract between the City of Jersey Village and the audit firm of Belt Harris Pechacek, LLLP has expired. They have offered to extend their relationship with the

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City of Jersey Village for the fiscal year 2014-2015 end of the year audit. Belt Harris Pechacek, LLLP has been the external auditors for the City of Jersey Village since September 2009.

Due to the personal service nature of this agreement and the amount of time that this firm had audited city books, staff is respectfully requesting City Council give recommendations or guidance in either extending the contract with our current auditors Belt Harris Pechacek, LLLP or preparing an RFP for audit services for a three year period.

With limited discussion on this item, Council Member Sheppard moved to approve the preparation of an RFP for audit services for a period of three year. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Harper, Sheppard, and Eustace

Nays: None

The motion carried.

*City Attorney, Mary Ann Powell, joined the meeting in progress at 7:53 p.m.*

- 4. Consider Ordinance No. 2015-18, amending the General Fund budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 by increasing line item 01-33-4001 (Maintenance – Building and Grounds) in the amount not to exceed \$34,000 to cover the costs associated with Roof Repair Services for City Hall.**

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

The City of Jersey Village City Hall is in need of significant roof repair. The existing facility consists of a collection of different buildings joined together. The flat portion of the roof is beyond its useful life. Because a new City Hall is being considered, a complete roof replacement did not seem logical. However, consistent water intrusion has caused areas in the building where there is an increased level of airborne mold and moisture within the walls. The recent rains have compounded these problems and increased the instances of water intrusion, particularly through light fixtures. Based upon the hazardous situation and the condition of the building after the heavy rains, City Staff consider this to be an emergency purchase in which there are exemptions from standard purchasing procedures.

City staff is respectfully requesting the approval of this Ordinance in order to increase line item 01-33-4001 (Maintenance – Building and Grounds) by \$34,000. City Staff has based this amount on a proposal by a roofing contractor to repair the flat roof section using a single ply roof membrane over the existing roof system. The additional funding will allow the City to enter into a contract for these services.

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With limited discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2015-18, amending the General Fund budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 by increasing line item 01-33-4001 (Maintenance – Building and Grounds) in the amount not to exceed \$34,000 to cover the costs associated with Roof Repair Services for City Hall. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Harper, Sheppard, and Eustace

Nays: None

The motion carried.

ORDINANCE NO. 2015-18

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 01-33-4001 (MAINTENANCE – BUILDING AND GROUNDS) IN THE AMOUNT NOT TO EXCEED \$34,000 TO COVER THE COSTS ASSOCIATED WITH ROOF REPAIR SERVICES FOR CITY HALL.

**5. Consider Resolution No. 2015-29, authorizing the City Manager to enter into a contract to repair the City Hall roof.**

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

The flat roof at City Hall is beyond its useful life and requires repair. Water intrusion has caused air quality issues and damage to the ceiling, fixtures, floors and walls of the building.

Industrial Roofing & Insulation has submitted a proposal, dated June 15, 2015.

The proposal includes installation of a 60 MIL Verisco TPO single ply roof membrane over the existing flat roof. The roofing membrane resembles a white plastic sheet and has an installation warranty against leakage for three years. The material is long lasting and flexible and is warranted against defects for fifteen years.

With limited discussion on the matter, Council Member Holden moved to approve Resolution No. 2015-29, authorizing the City Manager to enter into a contract to repair the City Hall roof. Council Member Harper seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Harper, Sheppard, and Eustace

Nays: None

The motion carried.

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RESOLUTION NO. 2015-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO REPAIR THE CITY HALL ROOF.

**G. CLOSE THE REGULAR SESSION**

Mayor Ray closed the Regular Session at 7:58 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 – Consultation w/Attorney.

**H. EXECUTIVE SESSION**

1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding Cause No. 153-278080-15; *James H. Watson v. City of Allen, et. al.*, 153rd Judicial District Court, Tarrant County, Texas.

**I. ADJOURN EXECUTIVE SESSION**

Mayor Ray adjourned the Executive Session at 8:17 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

**J. RECONVENE 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 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 Eustace:** Council Member Eustace had no comments.

**Council Member Sheppard:** Council Member Sheppard wished for all to stay safe and dry.



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**Council Member Mitcham:** Council Member Mitcham had no comments.

**Council Member Holden:** Council Member Holden had no comments.

**Council Member Harper:** Council Member Harper had no comments.

**Mayor Ray:** Mayor Ray had no comments.

**L. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 8:18 p.m.

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Lorri Coody, City Secretary