

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 17, 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 7:07 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, Scott Bounds
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; Mitch Grant, Interim Public Works Director; and Kimberly Terrell, Director of Parks and Recreation.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Frank Maher, Assistant Fire Chief

C. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

1. **Receive the adopted fiscal year 2015-2016 budget from the Jersey Village Crime Control and Prevention District (CCPD).**

Council received submission of the 2015-2016 fiscal year approved budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through the Board's Secretary, Lorri Coody.

2. **Conduct a public hearing on the Jersey Village Crime Control and Prevention District's budget for the fiscal year 2015-2016.**

Mayor Ray opened the public hearing at 7:10 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2015-2016 Crime Control and Prevention District budget that had previously been submitted to Council by the Jersey Village Crime Control and Prevention District (JVCCPD) Directors for Council's approval.

Mayor Ray called upon Chief of Police, Eric Foerster, to give a summary of the 2015-2016 JVCCPD budget. Chief Foerster explained that the budget being presented includes the following 2015-2016 supplementals:

Evidence Incinerator	\$ 3,500.00			\$ 3,500.00
Remote Surveillance Cameras	\$ 3,000.00			\$ 3,000.00
Lidar	\$ 8,000.00			\$ 8,000.00
Radio transfer from Harris County system to Cy-Fair system		\$ 3,000.00		\$ 3,000.00
Night Shift Differential for Sergeant			\$ 2,953.00	\$ 2,953.00
Total				\$ 20,453.00

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With no one signing up to speak on the JVCCPD budget, Mayor Ray closed the public hearing at 7:11 p.m. and called the next item on the agenda.

3. Consider Resolution No. 2015-67, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2015-2016.

With no discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2015-67, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2015-2016. Council Member Harper seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2015-2016 CRIME CONTROL AND PREVENTION DISTRICT BUDGET

D. CITIZENS COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their presentation to the City Council.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 553-8625 – Mr. Maloy spoke to City Council concerning the Golf Course. He read Council and article by Jake Novak entitled “Golf’s downturn leaves taxpayers holding the bag.” Mr. Maloy is against the city subsidizing the City’s Golf Course and he is against the supplementals included in the proposed 2015-2016 municipal budget.

Rod Erskine, 32 Parkway Place, Jersey Village, Texas (281) 827-1183 – Mr. Erskine spoke to City Council in favor of the City’s Golf Course. While he agrees that losses for the Golf Course are not sustainable over time, he is not convinced that the course loses money. He stated that revenues versus expenses have evened out over the past 5 years. He went on to give examples that affect golf course revenue such as inclement weather and road construction, which have been major factors this year, yet with 85% of the budget remaining, only 50% has been expended. He also mentioned that since the Golf Course operates as an Enterprise fund, depreciation is deducted from revenues each year. While he understands this accounting procedure, he doubts that the golf course property is decreasing in value each year. There are many golfers in the City. He is concerned for property owners should the golf course be shut

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down. He wants City Council to take a look at the course and resolve the issues, rather than close the course.

Jim Pulliam, 15713 Tenbury, Jersey Village, Texas (713) 983-0932 – Mr. Pulliam spoke to Council about several issues he has discovered during his daily walks in the City as follows:

1. Loose boards on Equador Bridge;
2. The gates at Carol Fox Park;
3. The water fountain at Carol Fox Park;
4. JV Star needs articles about trimming trees, recycling, and water sprinklers;
5. Not all homes have sidewalks at the street; and
6. Tripping hazards.

Mr. Pulliam also wanted to know the status of several issues he has previously mentioned to Council regarding flooding and the Regional Water Authority.

He closed his comments by mentioning the communication problem regarding the recycling bins at Post Elementary, the lawsuit regarding the cross at Jersey Village Baptist Church, and that passing an ordinance allowing chicken hens would be a mistake.

Bob Gonzales, 8401 Hawaii, Jersey Village, Texas (713) 466-5931 – Mr. Gonzales opened by stating that he had served on the Golf Course Advisory Committee for many years and during his tenure he has heard both the pros and cons for having/maintaining the course. He told Council that most residents do not understand that the course produces revenue that the City needs. Additionally, he mentioned that the course contributes annually to a replacement fund in order to purchase such things as golf carts. He stated that the course serves as a barrier to the residents living in the City.

Mr. Gonzales also recognized the work of Kimberly Terrell, the new Parks and Recreation Director. The improvements being made are noticeable and he commended her on a job well done. He also complemented the work of all staff. He stated that the City has very qualified employees that do a terrific job.

Bill Schuster, 8 Peach Tree Court, Jersey Village, Texas – Mr. Schuster is against raising hens in Jersey Village. He stated that hens should be raised in the country and not in the city. He is concerned that such a change in the ordinance would lead to the request to raise other types of livestock. Additionally, he told City Council that he is a member of the Golf Course Advisory Committee and he wants the Golf Course to remain.

Nancy Yetter, 16121 Capri Drive, Jersey Village, Texas (713) 419-3609 – Ms. Yetter spoke in support of changing the ordinance to allow residents to raise hens. She stated that there would not be a noise issue since roosters should not be permitted. She also told Council that many cities have adopted ordinances permitting this activity. She stated that there is a website “Hens for Houston” that explains the activity. She stated that it is environmentally safe and economically beneficial.

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Beth Blute, 15325 Chichester Lane, Jersey Village, Texas (713) 466-1630 – Ms. Blute spoke in favor of changing the ordinance to allow residents to raise hens. She stated that if the animals are kept properly they do not smell. She stated that currently residents are permitted to have rabbits so why not hens. Noise would not be an issue since roosters would not be permitted. Hens recycle naturally. She feels that Jersey Village needs to be progressive and allow for this activity. She believes that hens are no different than any other small animals.

E. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. As part of the report, Police Chief Eric Foerster introduced Officers Eric Bruss and Jesse Broussard, joining his department.

1. **Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – June 2015, and Budget Projections as of July 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**
9. **Introduction of Officers - Eric Bruss and Jesse Broussard**

F. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

1. **Consider approval of the Minutes for the Regular Session Meeting held on July 20, 2015, and the Special Session and Budget Work Session Meeting held on July 21, 2015.**
2. **Consider Resolution No. 2015-68, authorizing the City Manager to renew the interlocal agreement with Harris County Public Health Services for animal control services for a one (1) year period beginning October 14, 2015 and ending October 13, 2016.**

RESOLUTION NO. 2015-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,

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TEXAS, AUTHORIZING THE CITY MANAGER TO RENEW THE INTERLOCAL AGREEMENT WITH HARRIS COUNTY PUBLIC HEALTH SERVICES FOR ANIMAL CONTROL SERVICES FOR A ONE (1) YEAR PERIOD BEGINNING OCTOBER 14, 2015 AND ENDING OCTOBER 13, 2016.

Council Member Holden moved to approve items 1 and 2 on the consent agenda. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

G. REGULAR AGENDA

- 1. Consider Resolution No. 2015-69, authorizing advertisement for Request for Proposals for employee group benefits should there be an increase in Texas Municipal League Intergovernmental Employee Benefits Pool's re-rate numbers over 10% of the current medical premiums for either plan.**

Karen Farris, Human Resource Generalist, introduced the item. Background information is as follows:

The TML re-rate numbers are used in determining the need to request proposals for employee group benefits and these numbers must be received this week in order to meet the proposal schedule for 2016. Since TML's re-rate numbers for employee group benefits will not be available until the end of August, this item has been placed on the Council agenda.

In previous years, if the medical rates exceeded 10% of the current medical premiums, staff recommended that the City go out for proposals for employee group benefits. While the City's Consultant, Dick Hillyer, does not expect TML's numbers to exceed the 10%, this item is to authorize the bidding process should the City need to advertise for proposals.

Ms. Farris introduced Consultant Dick Hillyer to explain the proposal process to Council. Consultant Dick Hillyer gave a brief overview and called Council's attention to his report that was included in the meeting packet. He explained that since TML's re-rate numbers are not available, this item is to prepare for going out for proposals should the numbers exceed the 10% threshold.

He went on to explain that the City has a self-funded pool with TML and re-rate numbers are based upon claim experience. The experience for the City's plan has been good with an average of 2 to 3 % increase in premiums each year since inception of the plan. So far this year, the increase for Jersey Village is in the 6% range; however, when compared to

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the industry as a whole, which runs on average from 10% to 15% each year, the City is doing very well.

With no further discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2015-69, authorizing advertisement for Request for Proposals for employee group benefits should there be an increase in Texas Municipal League Intergovernmental Employee Benefits Pool's re-rate numbers over 10% of the current medical premiums for either plan. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING ADVERTISEMENT FOR REQUEST FOR PROPOSALS FOR EMPLOYEE GROUP BENEFITS IF THERE IS AN INCREASE IN TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL'S RE-RATE NUMBERS OVER 10% OF THE CURRENT MEDICAL PREMIUMS FOR EITHER PLAN.

2. **Consider Ordinance No. 2015-22, receiving the Capital Improvements Advisory Committee's written comments to the 2015 Update Study concerning land use assumptions, capital improvements plan, and impact fees prepared by Freese and Nichols, Inc., and calling a public hearing before the City Council concerning the adoption of impact fees.**

Debra Mergel, Chairman of the Capital Improvements Advisory Committee, introduced the item. She explained that the Committee met on August 10, 2015, with Consultants from Freese and Nichols, Inc. in order to review and discuss the 2015 Update Study concerning land use assumptions, capital improvements plan and impact fees, which had been prepared by these Consultants.

As a result of the discussions concerning all the information before it, the Capital Improvements Advisory Committee prepared written comments recommending that City Council approve the Draft Water and Waste Water Impact Fee 2015 Study Report.

This item is to present the Committee's written comments in connection with its findings to City Council and for City Council to call a public hearing for the purpose of considering the amendment of impact fees, and to give any member of the public the right to appear at the hearing and present evidence for or against the capital improvements plan and proposed impact fees.

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With no discussion on the matter, Council Member Holden moved to approve Ordinance No. 2015-22, receiving the Capital Improvements Advisory Committee's written comments to the 2015 Update Study concerning land use assumptions, capital improvements plan, and impact fees prepared by Freese and Nichols, Inc., and calling a public hearing before the City Council concerning the adoption of impact fees. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-22

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE'S WRITTEN COMMENTS TO THE 2015 UPDATE STUDY CONCERNING LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, AND IMPACT FEES PREPARED BY FREESE AND NICHOLS, INC., AND CALLING A PUBLIC HEARING BEFORE THE CITY COUNCIL CONCERNING THE AMENDMENT OF IMPACT FEES.

3. Discuss and take appropriate action concerning any budget changes to the proposed 2015-2016 Municipal Budget.

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

City Council met on July 20, 2015 and July 21, 2015 in a budget work session to review and discuss the proposed 2015-2016 budget. Since these meetings, several changes to the proposed budget have become necessary.

The changes proposed are as follows:

1. Reduction of \$28,003 on the Base Budget for the General Fund Expenditure/Fire Department line item 01-25-9781 for the transfer of the equipment purchase contribution on the replacement of the Fire Truck Rescue. The contributions from the Fire Department to the Capital Replacement Fund will drop from \$52,903 to \$25,000 for 20 years.
2. General Fund Expenditure/Community Development Base Budget line item 01-31-5515 Consultant \$12,000. Extend the base budget amount for Fiscal Year 2015-2016; these funds will be used until a new Building Inspector is hired.
3. Capital Replacement Fund/Equipment Replacement Base Budget line item 07-72-6580 increase from \$55,000 to \$410,000. These funds are available for the purchase of the new Fire Truck Rescue \$350,000 and the recondition of the Emergency Army Truck \$5,000.

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4. Court Technology Fund Supplemental line 12-28-6572. These funds are needed to purchase four (4) EMV (Europay MasterCard and Visa) Credit Card Processing equipment, since starting October 1, 2015 the new EMV credit card processing will go into effect.

Fire Chief, Mark Bitz, gave a short presentation concerning the changes related to the Rescue Fire Truck replacement. The City currently owns a “heavy” rescue fire truck that is in its 12th year of a 20 year cycle. The costs associated with the “heavy” truck seem to outweigh the benefits of owning the truck. Accordingly, Chief Bitz is recommending that the monies which have been placed in the vehicle replacement fund for the “heavy” truck replacement during the past 12 years, should be used now to purchase a “medium” fire rescue truck. The cost of the “medium” truck is \$350,000. He recommends that the “heavy” truck be sold, and estimates that the City could get as much as \$120,000 for this truck.

Council engaged in discussion about the Chief’s proposal. They wondered if the funds currently available in the vehicle replacement fund are enough to cover the purchase of the new truck and they wondered where the funds from the sale of the old truck would be allocated. Chief Bitz stated that there are enough monies in the vehicle replacement fund to make the purchase now. Additionally, when the old truck is sold, those funds will be allocated to the vehicle replacement fund.

With no further discussion on the budget changes, Council Member Sheppard moved to approve the City of Jersey Village 2015-2016 budget revisions, which include the reduction of \$28,003 from the base budget line item 01-25-9781 (Transfer for Equipment Purchase Contribution) in connection with the replacement of the new Fire Rescue truck, the continued allocation of \$12,000 in the base budget for the Consultant Services in the Community Development Department line item 01-31-5515 until a new building inspector is hired in such department, and the base budget increase to \$410,000 in the Capital Replacement Fund/Equipment Replacement line item 07-72-6580 (Vehicles) for the purchase of the new Fire Rescue Truck and the refurbishing of the Emergency Army Truck; Supplemental for EMV Credit Card Processing in the Court Technology Fund line item 12-28-6572 for the implementation of the new EMV (Europay MasterCard Visa) credit card processing that will go into effect starting October 1, 2015. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

4. **Consider Resolution No. 2015-70, setting the maximum proposed ad valorem tax rate; setting dates for any necessary public hearings on the proposed tax rate; and**

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setting the date City Council will adopt the fiscal year 2015-2016 ad valorem tax rate.

Isabel Kato, Finance Director, introduced the item. She explained that during the 2013 Legislative Session, SB 1510 was passed which requires that municipalities change the notice requirements for the truth in taxation process.

In the past, municipalities were required to publish multiple notices at different stages/dates during the truth in taxation process. These notices included the Notice of Effective and Rollback Tax Rates, the Notice of Public Hearings on Tax Increase, and Notice of Tax Revenue Increase.

SB 1510 combined all the notices into one notice. However, the new law requires that the new notice be published in the City's Official Newspaper not later than September 1. Since meeting the September 1 deadline proved problematic for some cities, HB1953 was passed during the 2015 Legislative Session. HB 1953 provides that the notice is to be published not later than the later of September 1 or the 30th day after the first date that the taxing unit has received its certified appraisal rolls. The effective date of HB 1953 is January 1, 2016.

Nonetheless, since the very first sentence of the new notice states "A tax rate of \$ _____ per \$100 valuation has been proposed for adoption by the governing body," it is appropriate that City Council set a "maximum" **proposed** tax rate.

In approving this Resolution, Council is NOT setting the tax rate for FY 2015-2016, as that will be accomplished during the October 19, 2015 meeting. Approving the Resolution merely states that City Council will not exceed a tax rate of 0.742500 cents per \$100 taxable value. Additionally, the vote approving the Resolution must be a record vote.

With limited discussion on the matter, Council Member Holden moved to approve Resolution No. 2015-70, setting the maximum proposed ad valorem tax rate; setting dates for any necessary public hearings on the proposed tax rate; and setting the date City Council will adopt the fiscal year 2015-2016 ad valorem tax rate. Council Member Harper seconded the motion. The record vote follows:

Council Member Mitcham:	Aye
Council Member Holden:	Aye
Council Member Harper:	Aye
Council Member Sheppard:	Aye
Council Member Eustace:	Aye

The motion carried:

RESOLUTION NO. 2015-70

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING THE MAXIMUM PROPOSED AD VALOREM TAX RATE; SETTING DATES FOR ANY NECESSARY PUBLIC HEARINGS ON PROPOSED TAX RATE; AND SETTING THE DATE CITY COUNCIL WILL ADOPT THE FISCAL YEAR 2015-2016 AD VALOREM TAX RATE.

5. **Consider Ordinance No. 2015-23, amending the Court Technology Fund budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 by increasing line item 12-28-4501 (Furniture and Equipment) in the amount not to exceed \$8,500 to cover the costs associated with the purchase of Prosecutor tables with network connection setup for computers.**

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

A supplemental budget item was requested by City Council in fiscal year 14/15 to construct a council chamber desk which is also used by the Municipal Court for all court dockets. City Council and the Court personnel have been using folding tables for the last several years. With this supplemental, the Court personnel and the Judge will have a more formal courtroom setup with a Judge's bench and tables further enhancing the professional appearance and technological advancement of the Court. Additionally, we are respectfully requesting that a budget amendment be approved to purchase the additional tables from the Court Technology Fund to further enhance the technology of the Municipal Court by providing City Prosecutors the ability to connect laptops for a more streamlined docket. This will further help the court in its future move to a "paper light" operation as we intend to eventually become paperless requiring the use of technology for all courtroom staff. City staff is requesting the approval of this Ordinance in order to increase line item 12-28-4501 (Furniture and Equipment) in the amount not to exceed \$8,500.

With limited discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2015-23, amending the Court Technology Fund budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 by increasing line item 12-28-4501 (Furniture and Equipment) in the amount not to exceed \$8,500 to cover the costs associated with the purchase of Prosecutor tables with network connection setup for computers. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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ORDINANCE NO. 2015-23

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE COURT TECHNOLOGY FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 BY INCREASING LINE ITEM 12-28-4501 (FURNITURE AND EQUIPMENT) IN THE AMOUNT NOT TO EXCEED \$8,500 TO COVER THE COSTS ASSOCIATED WITH THE PURCHASE OF THE PROSECUTORS TABLES.

6. Consider Resolution No. 2015-71, authorizing the City Manager to enter into a contract with Belt Harris and Associates for auditing services.

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

Council directed staff to prepare request for proposals (RFP) for auditing services for a period not to exceed three years. The city's current auditors, Belt Harris Pechacek, LLLP have provided this service for the last three years. Two firms responded to the City's Request for Proposal (RFP). One was our current auditor Belt Harris Pechacek, LLLP and the other firm was Whitley Penn. The original copies of these proposals are filed with the City Secretary. A comparison schedule of the two proposals was created according to the criteria outlined in the RFP. The review team consisted of the City Secretary, Finance Director, and the Fire Chief. Results of the review indicate a higher score for Belt Harris Pechacek, LLLP.

With limited discussion on the matter, Council Member Eustace moved to approve Resolution No. 2015-71, authorizing the City Manager to enter into a contract with Belt Harris and Associates for auditing services. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH BELT HARRIS PECHACEK, LLLP FOR AUDITING SERVICES.

7. Consider Resolution No. 2015-72, authorizing the City Manager to enter into an agreement with Texas First Group for Interim Public Works Director Services.

Mike Castro, City Manager, introduced the item. He explained that on July 13, 2015, Brian Breeding provided a two-week resignation notice. Mr. Breeding's last day with the city was July 24. The Public Works Director fulfills significant responsibilities within

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the management structure of the city, to include: supervision of utilities, code enforcement, streets, fleet management, as well as supervision of many activities associated with the U.S. 290 highway expansion. It is not my belief that current staff can assume these functions and remain proficient in their respective positions. This is particularly the case in light of the ongoing Highway construction effort.

City Manager Castro recommended that the City employ Texas First Group to provide Interim Public Works Director Services until such time that a permanent Director can be hired. In the past, the City has utilized the services of Texas First Group to provide Interim City Manager Services, Interim City Secretary Services, and most recently, Interim Public Works Director Services.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No, 2015-72, authorizing the City Manager to enter into an agreement with Texas First Group for Interim Public Works Director Services. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEXAS FIRST GROUP FOR INTERIM PUBLIC WORKS DIRECTOR SERVICES.

8. Discuss and take appropriate action to amend the City's ordinances to allow for raising hens.

Andrew Mitcham, Council Member, introduced the item. He stated that he would like to include an ordinance change that would permit the raising of hens within the city limits of Jersey Village. He explained that the changes to the ordinance could be specific in that it would:

1. Limit the number allowed;
2. Prohibit roosters;
3. Identify acceptable breeds;
4. Specify the type and size of pens;
5. Establish a set-back requirement from neighboring properties.

He told Council that raising hens is another family activity for parents to engage their children that is educational. He pointed out some negatives to the changes which

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included that the raising of hens is more difficult than most expect and that the set-up costs are more expensive than most expect.

Council Member Mitcham pointed out several ordinances currently in effect that would complement the raising of hens. For example, there are ordinances governing noise from birds, fowl smells/odors, and accumulation of manure. He stated that currently, the city permits raising bees. He also told City Council that he has looked at ordinances from other cities and he proposes that staff be directed to draft an ordinance similar to that had in the City of Alvin which:

1. Allows only chicken hens;
2. Prohibits roosters;
3. Limits number of hens to 4 or 5;
4. Sets coop/pen size;
5. Sets set-back requirement at 25 feet from neighboring property;
6. Limits the purpose of eggs to domestic use;
7. Prohibits commercial production of eggs; and
8. Prohibits “free-range” chickens.

In completing his presentation, City Manager Castro told Council that staff has not had time to review/study this request, and the item has been placed on the agenda for consideration/discussion. He mentioned that should Council desire to permit the raising of hens, but only in certain zoning districts, it will be necessary for the Planning and Zoning Commission to review the request and make recommendations for same.

Discussion was had concerning the impact of raising chickens in Jersey Village. Some wondered the effect it would have on the golf course and if the activity would attract unwanted wildlife. There was also concern that loose dogs would kill the hens, causing issues with residents.

Other issues discussed:

1. Raccoons;
2. The effect, if any, on home owner’s insurance;
3. The stigma attached to raising chickens;
4. The conflict that may arise between residents over the hens;
5. The effect on property values;
6. Chickens are dirty animals, they have an odor and are hard to keep cooped;
7. Raising hens goes against improving the image of Jersey Village; and
8. The measures needed to be taken to enforce such an ordinance.

No action was taken by Council on this item.

- 9. Consider Ordinance No. 2015-24, amending the City of Jersey Village General Fund budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015,**

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line item 01-31-5515 in the amount of \$15,000 to cover cost associated with Consultant Services in the City’s Community Development Department.

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

Bureau Veritas assists the City of Jersey Village Building Official with inspections. In the event the Building Official has an inordinate amount of construction plan reviews or is out of the office due to training, vacation time, or sickness; Bureau Veritas comes in and handles the daily inspections for the City. Due to an increased volume of plan reviews, the City has had to outsource a large amount of inspections.

City staff is respectfully requesting the approval of this Ordinance in order to increase line item 01-31-5515 (Consultant Services) by \$15,000. The additional funding will allow for the continued coverage for the remainder of the fiscal year.

With limited discussion on the matter, Council Member Holden moved to approve Ordinance No. 2015-24, amending the City of Jersey Village General Fund budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, line item 01-31-5515 in the amount of \$15,000 to cover cost associated with Consultant Services in the City’s Community Development Department. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-24

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY OF JERSEY VILLAGE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015, LINE ITEM 01-31-5515 IN THE AMOUNT OF \$15,000 TO COVER COST ASSOCIATED WITH CONSULTANT SERVICES IN THE CITY’S COMMUNITY DEVELOPMENT DEPARTMENT.

10. Consider Ordinance No. 2015-25, amending the City of Jersey Village General Fund budget, line item 01-36-3529 (Repair Parts) for the fiscal year beginning October 1, 2014 and ending September 30, 2015, in the amount of \$10,000 to cover cost associated with Fleet Services Repair Parts.

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

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The Fleet Services Department is entrusted with maintaining the City's fleet, including emergency response vehicles. Due to the increased cost of preventative maintenance, and unforeseen equipment failures, Fleet Services is in need of immediate funding.

City Staff is respectfully requesting the approval of this Ordinance in order to increase line item 01-36-3529 (Repair Parts) by \$10,000. The additional funding will allow for the continued maintenance and repair of the City's vehicles.

With limited discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2015-25, amending the City of Jersey Village General Fund budget, line item 01-36-3529 (Repair Parts) for the fiscal year beginning October 1, 2014 and ending September 30, 2015, in the amount of \$10,000 to cover cost associated with Fleet Services Repair Parts. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-25

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 01-36-3529 (REPAIR PARTS) IN THE AMOUNT NOT TO EXCEED \$10,000 TO COVER COST ASSOCIATED WITH FLEET SERVICES REPAIR PARTS.

- 11. Consider Ordinance No. 2015-26, amending the General Fund Budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 in the amount not to exceed \$10,030 to increase line item 01-25-6572 from the General Fund Balance in order to cover expenditures related to the special equipment purchased with the Assistance To Fire Grant previously approved by City Council during fiscal year 2013-2014.**

Mark Bitz, Fire Chief, introduced the item. Background information is as follows:

In the 2013-2014 fiscal budgets year, Council authorized funding for the Assistance to Fire Grant program. That funding was spent and special equipment was purchased with the money provided. We did not spend the entire amount of money authorized by Council for that year.

We reported all expenses to FEMA, the governing body for the Assistance to Fire Grant Program. In response, FEMA has authorized us to spend the remaining portion of money on other equipment we might need. That dollar amount is \$10,030 and we have received that money from FEMA.

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This item is to request Council to authorize a budget amendment so we may spend this additional funding before the end of this fiscal budget year.

With limited discussion on the matter, Council Member Mitcham moved to approve Ordinance No. 2015-26, amending the General Fund Budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 in the amount not to exceed \$10,030 to increase line item 01-25-6572 from the General Fund Balance in order to cover expenditures related to the special equipment purchased with the Assistance To Fire Grant previously approved by City Council during fiscal year 2013-2014. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-26

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 \$10,030 TO INCREASE LINE ITEM 01-25-6572 FROM THE GENERAL FUND BALANCE IN ORDER TO COVER EXPENDITURES RELATED TO THE SPECIAL EQUIPMENT PURCHASED WITH THE ASSISTANCE TO FIRE GRANT PREVIOUSLY APPROVED BY CITY COUNCIL DURING FISCAL YEAR 2013-2014.

H. CLOSE THE REGULAR SESSION

Mayor Ray closed the Regular Session at 8:36 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney and Section 551.072 - Deliberation regarding real property.

I. EXECUTIVE SESSION

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding Cause No. 1061305; *Jones Road Holding Ltd. vs. City of Jersey Village, Texas*; County Civil Court at Law No. 2, Harris County, Texas. *Scott Bounds, City Attorney***
- 2. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding *Jersey Village Baptist Church vs. Jersey Village Board of Adjustment*, Cause No. 201535716; in the 215th Judicial District Court of Harris County, Texas. *Scott Bounds, City Attorney***
- 3. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding *James H. Watson vs. City of Allen, et al.*, Cause No. 4:15-CV-00335-A; in**

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the United States District Court for the Northern District of Texas. *Scott Bounds, City Attorney*

4. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding proposed settlement offer for one Water Line Easement, being 0.1277 acres, being a part of Topper Sales, a subdivision recorded under Film Code Number 392144 of the Harris County Map Records and being out of and a part of the called Exhibit A-8 described in the deed to Kensinger Properties Limited recorded under Harris County Clerk's File Number X-344797, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney*
5. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding proposed settlement offer for one Water Line Easement, being 0.0460 acres, being a part of the called 2.537 acre tract described in the deed to Kensinger Properties Limited recorded under Harris County Clerk's File Number 20130006594, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney*
6. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding proposed settlement offer for one Water Line Easement, being 0.1934 acres, being a part of and a part of Lots 5, 6 & 7, Fairview Gardens Annex No. 2, a subdivision recorded under Volume 855, Page 298 of the Harris County Deed Records, out of and a part of the remainder of Lot 1, Fairview Gardens, a subdivision recorded under Vol. 10, Pg. 46 of the Harris County Map Records, out of and a part of Fairview Gardens Amending Plat No. 1, a subdivision recorded under Film Code Number 599120, H.C.M.R. and being out of and a part of the Exhibit A-6 and Exhibit A-7 described in the deed to Kensinger Properties Limited recorded under Harris County Clerk's File Number X-344797, and Exhibit A-2 described in the deed to Kensinger Properties Limited recorded under H.C.C.F. No. X-344799, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney*
7. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding proposed settlement offer for one Water Line Easement, being 0.0248 acres, being a part of the called 0.2627 acre tract described in the deed to Cabrera Brothers II recorded under Harris County Clerk's File Number 20070519499, and being out of and a part of Northwest Village a subdivision recorded under Volume 278, Page 41 of the Harris County Map Records, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney*

J. ADJOURN EXECUTIVE SESSION

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Mayor Ray adjourned the Executive Session at 9:45 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

K. REGULAR SESSION CONTINUED

- 1. Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2015-73, approving a settlement agreement with Kensinger Properties Limited, a Texas Limited Partnership, for the acquisition of a water line easement across a 0.1277 acre tract of land (Parcel 718) as part of the 290 Water Line Project within the City of Jersey Village; making other findings related hereto; and authorizing the City Manager to execute the settlement agreement and related documents.**

With no discussion on the matter, Council Member Holden moved to approve Resolution No. 2015-73, approving a settlement agreement with Kensinger Properties Limited, a Texas Limited Partnership, for the acquisition of a water line easement across a 0.1277 acre tract of land (Parcel 718) as part of the 290 Water Line Project within the City of Jersey Village; making other findings related hereto; and authorizing the City Manager to execute the settlement agreement and related documents. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-73

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH KENSINGER PROPERTIES LIMITED, A TEXAS LIMITED PARTNERSHIP, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.1277 ACRE TRACT OF LAND (PARCEL 718) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; MAKING OTHER FINDINGS RELATED HERETO; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS.

- 2. Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2015-74, approving a settlement agreement with Kensinger Properties Limited, a Texas Limited Partnership, for the acquisition of a water line easement across a 0.0460 acre tract of land (Parcel 719) as part of the 290 Water Line Project within the City of Jersey Village; making other findings related hereto; and authorizing the City Manager to execute the settlement agreement and related documents.**

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With no discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2015-74, approving a settlement agreement with Kensinger Properties Limited, a Texas Limited Partnership, for the acquisition of a water line easement across a 0.0460 acre tract of land (Parcel 719) as part of the 290 Water Line Project within the City of Jersey Village; making other findings related hereto; and authorizing the City Manager to execute the settlement agreement and related documents. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-74

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH KENSINGER PROPERTIES LIMITED, A TEXAS LIMITED PARTNERSHIP, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.0460 ACRE TRACT OF LAND (PARCEL 719) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; MAKING OTHER FINDINGS RELATED HERETO; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS.

- 3. Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2015-75, approving a settlement agreement with Kensinger Properties Limited, a Texas Limited Partnership, for the acquisition of a water line easement across a 0.1934 acre tract of land (Parcel 722) as part of the 290 Water Line Project within the City of Jersey Village; making other findings related hereto; and authorizes the City Manager to execute the settlement agreement and related documents.**

With no discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2015-75, approving a settlement agreement with Kensinger Properties Limited, a Texas Limited Partnership, for the acquisition of a water line easement across a 0.1934 acre tract of land (Parcel 722) as part of the 290 Water Line Project within the City of Jersey Village; making other findings related hereto; and authorizes the City Manager to execute the settlement agreement and related documents. Council Member Sheppard 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. 2015-75

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH KENSINGER PROPERTIES LIMITED, A TEXAS LIMITED PARTNERSHIP, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.1934 ACRE TRACT OF LAND (PARCEL 722) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; MAKING OTHER FINDINGS RELATED HERETO; AND AUTHORIZES THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS.

4. **Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2015-76, approving a settlement agreement with Cabrera Brothers II, L.P., a Texas Limited Partnership, for the acquisition of a water line easement across a 0.0248 acre tract of land (Parcel 727) as part of the 290 water line project within The City Of Jersey Village; making other findings related hereto; and authorizes the City Manager to execute the settlement agreement and related documents.**

With no discussion on the matter, Council Member Eustace moved to approve Resolution No. 2015-76, approving a settlement agreement with Cabrera Brothers II, L.P., a Texas Limited Partnership, for the acquisition of a water line easement across a 0.0248 acre tract of land (Parcel 727) as part of the 290 water line project within The City Of Jersey Village; making other findings related hereto; and authorizes the City Manager to execute the settlement agreement and related documents. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-76

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH CABRERA BROTHERS II, L.P., A TEXAS LIMITED PARTNERSHIP, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.0248 ACRE TRACT OF LAND (PARCEL 727) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; MAKING OTHER FINDINGS RELATED HERETO; AND AUTHORIZES THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS.

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L. MAYOR AND COUNCIL COMMENTS

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

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

Council Member Eustace: Council Member Eustace expressed sorrow for the passing of Former Council Member Calvin Fenley.

Council Member Sheppard: Council Member Sheppard thanked Staff for their hard work, stating she has received many “good” comments from residents. She mentioned the upgrades to the Golf Course entrance and the fact that the updates are making an impact.

Council Member Mitcham: Council Member Mitcham mentioned the HOV lane changes being considered for the US Highway 290 Expansion Project. He is not in favor of the changes and he encourages residents to attend the public comment meetings to be held on September 1 and September 3.

Council Member Holden: Council Member Holden had no comments.

Council Member Harper: Council Member Harper made mention of the confusion had over the recycling program at Post Elementary.

Mayor Ray: Mayor Ray had no comments.

M. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:00 p.m.

Lorri Coody, City Secretary