

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 19, 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 7:01 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, Michael Gary
Council Member, C. J. Harper	City Attorney, Scott Bounds
Council Member, Sheri Sheppard	
Council Member, Tom Eustace	

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

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

1. Prayer by: Donna McCarty, Chaplain, Jeremy E. Ray American Legion Post 324.
2. Pledge by: Jimmy Baughman, Commander, Jeremy E. Ray American Legion Post 324.

**C. PROCLAMATION**

1. **Proclamation recognizing the service of Charles Wayne Davidson who served with distinction as a member of the 384<sup>th</sup> Bombardment Group (heavy), Eighth Air Force, during World War II.**

Mayor Ray read the proclamation recognizing the service of Charles Wayne Davidson who served with distinction as a member of the 384<sup>th</sup> Bombardment Group (heavy), Eighth Air Force, during World War II.

**D. PRESENTATIONS**

1. **Presentation of Police Department Employee of the Third Quarter, 2015 – by Jimmy Baughman, Commander of the Jeremy E. Ray American Legion Post 324.**

Jimmy Baughman, Commander, and Michael Brittain, Member, of the Jeremy E. Ray American Legion Post #324, along with Mayor Ray, presented the Police Department Employee of the Third Quarter award to Officer Albert Lopez.

**E. PUBLIC HEARING**

1. **Conduct a public hearing on amendments to the land use assumptions and a capital improvements plan and the imposition of an impact fee.**

Mayor Ray opened the public hearing at 7:10 p.m. in order to consider the amendment of land use assumptions and a capital improvements plan and the imposition of an impact fee, and to give any member of the public the right to appear at the hearing and present evidence for or against the update.

Mayor Ray called upon Consultants from Freese and Nichols to summarize the subject

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of this public hearing. The presentation included information on the following:

- The impact fee process;
- The 2015 water and wastewater impact fee study method;
- Impact fee calculations and report preparations;
- Impact fee comparisons;
- Proposed water and wastewater impact fees; and
- The remaining impact fee schedule.

Council engaged in discussion about the proposed impact fee for fire sprinklers and the size of the meter needed. Fire Chief Bitz explained that the pipe size must be no smaller than six (6) inches for a 3,000 square foot building.

There was discussion about the impact fee costs to developers for a fire hydrant and how these costs will impact economic development. The Consultant reminded the Council that the City will have to lay the infrastructure to support the six (6) inch line. So, it becomes a question of who will pay for the infrastructure, the developer or the rate payers.

City Manager Castro then explained the state laws associated with impact fees and the process. Discussion was had on ways to promote economic development with the proposed impact fees for fire hydrants. Some members wondered how many businesses will be affected. The Consultant stated that the report projects only one (1) business this size over the next ten (10) years.

With no one signing up to speak on the amendments to the land use assumptions and a capital improvements plan and the imposition of an impact fee, Mayor Ray closed the public hearing at 7:25 p.m. and called the next item on the agenda.

**F. PUBLIC HEARING AND RELATED ITEMS**

**1. Conduct first public hearing on the need to continue the City of Jersey Village Juvenile Curfew Ordinance.**

Mayor Ray opened the first public hearing on the need to continue the City of Jersey Village Juvenile Curfew Ordinance at 7:25 p.m.

Police Chief, Eric Foerster, gave a presentation concerning how the ordinance affects the community and on the problems the ordinance was intended to remedy. He recommended that the current juvenile curfew ordinance be continued.

In completing his presentation, and with no one signing up to speak, Mayor Ray closed the first public hearing at 7:28 p.m.

**2. Conduct second public hearing on the need to continue the City of Jersey Village Juvenile Curfew Ordinance.**

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Mayor Ray opened the second public hearing on the need to continue the City of Jersey Village Juvenile Curfew Ordinance at 7:28 p.m.

With no one signing up to speak, the second public hearing was closed at 7:28 p.m.

**3. Review the City of Jersey Village Juvenile Curfew Ordinance’s effects on the community and on problems the ordinance was intended to remedy.**

Eric Foerster, Chief of Police, had no additional information to present. Accordingly, Mayor Ray called the next item on the agenda as follows:

**4. Consider Ordinance No. 2015-31, continuing in effect Ordinance No. 1995-20, adopted on November 20, 1995, and codified as Chapter 42, Article III, Division 3, entitled “Curfew;” reflecting compliance with all requirements of state law and re-affirming the need to continue the curfew ordinance; and providing a penalty of an amount not less than \$50.00 nor more than \$500.00 for each day of violation of any provision hereof; making certain findings; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date.**

With limited discussion on this item, Council Member Sheppard moved to approve Ordinance No. 2015-31, continuing in effect Ordinance No. 1995-20, adopted on November 20, 1995, and codified as Chapter 42, Article III, Division 3, entitled “Curfew;” reflecting compliance with all requirements of state law and re-affirming the need to continue the curfew ordinance; and providing a penalty of an amount not less than \$50.00 nor more than \$500.00 for each day of violation of any provision hereof; making certain findings; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date. 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. 2015-31

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CONTINUING IN EFFECT ORDINANCE NO. 1995-20, ADOPTED ON NOVEMBER 20, 1995, AND CODIFIED AS CHAPTER 42, ARTICLE III, DIVISION 3, ENTITLED “CURFEW”; REFLECTING COMPLIANCE WITH ALL REQUIREMENTS OF STATE LAW AND RE-AFFIRMING THE NEED TO CONTINUE THE CURFEW ORDINANCE; PROVIDING A PENALTY OF AN AMOUNT NOT LESS THAN \$50.00 NOR MORE THAN \$500.00 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; MAKING CERTAIN FINDINGS; REPEALING ALL ORDINANCES OR PARTS OF

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ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**G. BUDGET ITEMS**

**1. Discuss and consider approval of a motion to set the tax rate for debt service for tax year 2015.**

Council Member Mitcham motioned to approve setting the debt service tax rate of \$.216154 per \$100 value for the year 2015. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**2. Discuss and consider approval of a motion to set the tax rate for maintenance and operation for tax year 2015.**

Council Member Holden moved to approve setting the maintenance and operation tax rate of \$.526346 per \$100 value for the year 2015. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**3. Consider Ordinance No. 2015-32, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2015.**

Council engaged in discussion about setting a tax rate that is effectively a 17.54 percent increase. Some felt that a 17.54 percent increase is too much and that perhaps it might be prudent to revisit the rate to see if it can be lowered. Others felt that while the 17.54 percent increase sounds like a lot, the City is currently working on updating its Comprehensive Plan which includes many projects desired by Jersey Village residents. The proposed rate will provide funding to accomplish some of these projects. There was also concern for the City's costs in expanding US Hwy 290 and the fact that some businesses will be leaving the City as a result of this expansion, resulting in lost revenues.

With no further discussion on the item, Council Member Sheppard moved to approve Ordinance No. 2015-32, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2015; providing for the date on which such taxes shall be due and payable; and providing for penalty and interest on all taxes not timely paid. I further move that property taxes be increased by the adoption of a tax rate

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of .7425, which is effectively a 17.54 percent increase in the tax rate. Council Member Eustace seconded the motion. The record vote follows:

Council Member Mitcham:	Aye	Council Member Sheppard:	Aye
Council Member Holden:	Aye	Council Member Eustace:	Aye
Council Member Harper:	No		

Mayor Ray, although present, did not vote.

The motion carried.

ORDINANCE NO. 2015-32

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE YEAR 2015; PROVIDING FOR THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

**H. 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 about increases in the tax rate and increase in tax revenues. He is against the increase and he is against spending tax dollars on the golf course. To support his position, he gave City Council information on the total tax dollars spent on the course since it began.

**Bill Schuster, 8 Peach Tree Court, Jersey Village, Texas (832) 407-9011:** Mr. Schuster spoke to City Council about the tax rate. He stated that he was disappointed that he had not seen any notices telling citizens about how tax dollars are being spent.

In completing Citizen Comments, and before calling the next item on the Council agenda, Mayor Ray explained the budget and tax rate process in order to clear up the transparency of Council's actions. He stated that the Council has conducted several public hearings on the budget and that the budget is posted on the City's website. The budget is the official document that outlines how funds will be spent during the budget year. A follow-up step to approving the budget is setting the tax rate to support the approved budget. In completing his brief remarks, Mayor Ray called the next item on the agenda as follows:

**I. CITY MANAGER'S REPORT**

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City Manager, Mike Castro, gave his monthly report. As part of the report, Police Chief Eric Foerster introduced Officer Keith Moore, joining his department.

1. **Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – August 2015, Quarterly Investment Report – September 2015, and Budget Projections as of September 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 Street Construction Update**
7. **Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Social Media Summary Report and the Parks and Recreation Departmental Report**
8. **Report from Code Enforcement**
9. **Officer Introduction – Keith Moore**

**J. 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 September 21, 2015 and approval of the Minutes for the Special Session Meetings held on September 21, 2015, October 5, 2015, and October 12, 2015.**

Council Member Mitcham moved to approve item 1 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.

**K. REGULAR AGENDA**

1. **Consider Ordinance No. 2015-33, adopting updated land use assumptions, a capital improvements plan, and impact fees for water and wastewater facilities in accordance with Chapter 395 of the Texas Local Government Code; making certain findings related to the subject; and providing for severability.**

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Kevin Hagerich, Director of Public Works, introduced the item. Background information is as follows:

On March 17, 2014, City Council in adopting Resolution 2014-07 approved a contract for consulting services with Freese and Nichols, Inc. related to the development of a Comprehensive Plan for the City of Jersey Village.

In addition to the development of a Comprehensive Plan, the contract also required that Freese and Nichols, Inc. conduct a study concerning amendments to the City's land use assumptions, capital improvements plan and impact fees.

Amendments to the City's land use assumptions, capital improvements plan and impact fees is an eight (8) step process involving the following steps:

- Step 1 -** Establish the CIAC
- Step 2 -** Identify Service Areas
- Step 3 -** Develop Land Use Assumptions
- Step 4 -** Develop Capital Improvements Plan
- Step 5 -** Impact Fee Calculations & Report Preparation
- Step 6 -** CIAC Presentations
- Step 7 -** Public Hearings & Council Approval
- Step 8 -** Adopt Impact Fee Ordinance

Earlier on this evenings agenda, City Council completed Step 7 by conducting the public hearing, the purpose of which was to consider the amendment of land use assumptions and a capital improvements plan and the imposition of an impact fee, and to give any member of the public the right to appear at the hearing and present evidence for or against the update.

This item is to consider the Ordinance that will adopt updated Land Use Assumptions, a Capital Improvements Plan, and Impact Fees for water and wastewater facilities in accordance with Chapter 395 of the Texas Local Government Code; making certain findings related to the subject; and providing for severability.

Council engaged in discussion about the impact fees being proposed for fire sprinklers and how these fees might impact economic development. Council discussed the requirement that any building over 3,000 square feet will need a six (6) inch line. Some felt that the \$250,000 impact fee being proposed is too high. The Consultant reminded Council that the study proposes that only one (1) such development is being projected over the course of the next ten (10) years. Additionally, the Consultant pointed out that the line size is not the same as a meter size. Further, he told the Council that a two (2) inch meter could connect to a six (6) inch line. It all depends upon the flow, but it is important to note that the meter size depicts the fee amount, not the line size. In further discussion, it was noted that fire sprinkler systems are not metered.

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Finally, the Consultant pointed out that impact fees are not new to the City. The action here is an update that is required by state law.

With no further discussion on the matter, Council Member Sheppard moved to approve Ordinance 2015-33, adopting updated Land Use Assumptions, a Capital Improvements Plan, and Impact Fees for water and wastewater facilities in accordance with Chapter 395 of the Texas Local Government Code; making certain findings related to the subject; and providing for severability. 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. 2015-33

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, ADOPTING UPDATED LAND USE ASSUMPTIONS, A CAPITAL IMPROVEMENTS PLAN, AND IMPACT FEES FOR WATER AND WASTEWATER FACILITIES IN ACCORDANCE WITH CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE; MAKING CERTAIN FINDINGS RELATED TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

**2. Consider Resolution No. 2015-85, receiving the Phase I Draft Report of the Traffic Calming Plan, prepared by Gunda Corporation, pertaining to existing traffic conditions and analysis thereof.**

Kevin T. Hagerich, Director of Public Works, introduced the item. Background information is as follows:

On July 20, 2015, City Council approved Resolution 2015-51, which authorized Gunda Corporation to begin Phase 1 in the development of a Traffic Calming Plan for the City. Phase 1 of the study included evaluation of existing conditions, data collection and analysis, and presentation of summarized data.

The primary concerns which initiated this study include speeding, and cut-through traffic within the neighborhood. Speeding is a greater concern, given some of the roadways are narrow, thus decreasing the perception of safety.

Public Work's Director Hagerich introduced the Gunda Corporation Consultants who gave a short presentation concerning their findings which included information on the following:

- Introduction;
- Project Overview;
- Stakeholder Meeting;

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- Data Collection Process;
- Methodology;
- High Traffic Volume Results;
- Problem Spots;
- Traffic Calming Tool Box; and
- Next Steps

Council engaged in discussion about truck traffic along Seattle and how the study counted the trucks. The Consultant explained that the axels are counted to determine trucks, but told Council that buses are in a different category.

Council also noted that the study results corroborate the perception of the residents for speed and volume. In one day, the study counted 37,477 trips over city roads. The Consultant offered, in connection with the trip count, that each single family dwelling generates at least 10 trips per day, and that typically when statistics show cut-through traffic at 20% or greater, there is an issue. The Consultant pointed out that the current numbers for cut-through traffic in Jersey Village are at 8%, which is an acceptable level. He also pointed out that much of the cut-through traffic is associated with the expansion of US Hwy 290 and upon completion of this roadway, the cut-through numbers will improve.

Council discussed the eight (8) streets that have a speed issue and the next steps in the process. Phase II of the study will need to be authorized at the next City Council Meeting.

With no further discussion, Council Member Sheppard moved to approve Resolution No. 2015-85, receiving the Phase I Draft Report of the Traffic Calming Plan, prepared by Gunda Corporation, pertaining to existing traffic conditions and analysis thereof. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PHASE I DRAFT REPORT OF THE TRAFFIC CALMING PLAN, PREPARED BY GUNDA CORPORATION, PERTAINING TO EXISTING TRAFFIC CONDITIONS AND ANALYSIS THEREOF.

- 3. Receive an update on the utility relocation project due to US 290 expansion.**

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Mike Castro, City Manager, gave an update on the utility relocation project due to the US Hwy 290 Expansion Project. His presentation included the following background information:

- US 290 expansion requires utility easement relocation.
- City currently maintains utilities outside of TxDOT ROW.
- City desires to continue to maintain utilities outside of TxDOT ROW (Res 2011-62).
- Utilities are all active – relocation is not optional & service must be maintained.
- TxDOT offered to relocate city utilities in their ROW; however:
  - Future moves are entirely on the city's dime;
  - 8 mil @ 15 yrs = 12.5 mil (3 %); 14.4 mil (4 %);
  - Future highway expansions must be on the north side of US 290;
  - We lose control over access to our utilities; and
  - Utility work in the TxDOT ROW must be permitted.
- What is Reimbursable (Segment 6 and 7)
- What is Not Reimbursable
- Work Completed
- Work to be Completed
- Acquisitions
- Acquisition Process
- Bottom Line:
  - Through a separate easement, we save the city money in the long run;
  - It is a tortuous process that consumes a significant amount of city resources;
  - Our city finances are held captive by the utility relocation effort; and
  - There is no light at the end of the tunnel.

In completing the presentation, City Council engaged in discussion about the location of the City's utilities before the US 290 Expansion Project. City Manager Castro explained that the City's utilities were in our own right-of-way.

With no further discussion on the matter, Mayor Ray called the next item on the agenda as follows:

- 4. Consider Resolution No. 2015-86, authorizing the City Manager to enter into a contract with Yamaha Golf-Car Company for the purchase of seventy-four (74) 2016 Yamaha DRIVE electric golf cars.**

Kimberly Terrell, Director of Parks and Recreation, introduced the item. She told Council that the City purchased the existing fleet of golf carts in 2011. Since that time, consistent with City policy, the City has made annual contributions to the Capital Replacement Fund.

She told Council that the existing fleet of golf carts exceeds four years in age and that the carts are currently beyond warranty and should be replaced. Accordingly, staff has obtained a proposal from Yamaha Golf-Car Company for the purchase of seventy-four

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(74) 2016 Yamaha DRIVE electric golf cars, and respectfully requests authorization to purchase these golf carts during this budget year. The proposed vender is currently listed as a State of Texas Authorized Vendor (vender #447-14), and the City of Jersey Village participates in the State of Texas Buy Board offered through the State of Texas Purchasing and General Services Commission.

Council engaged in limited discussion about the pros and cons of leasing the carts as opposed to purchasing the carts. They also confirmed that the dollars needed to make this purchase come from the vehicle replacement fund, which the Golf Course has made contributions to over the past four (4) years.

With no further discussion on this matter, Council Member Harper moved to approve Resolution No. 2015-86, authorizing the City Manager to enter into a contract with Yamaha Golf-Car Company for the purchase of seventy-four (74) 2016 Yamaha DRIVE electric golf cars. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH YAMAHA GOLF-CAR CO. FOR THE PURCHASE OF SEVENTY-FOUR (74) 2016 YAMAHA DRIVE GOLF CARS.

5. **Consider Ordinance No. 2015-34, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 70, Utilities, by amending Article II, service bills and rates, at Section 70.77(a)(4) and Section 70.77(a)(5) to provide for a new basic monthly service charge for the various customer classes for wastewater service and rates for wastewater service for the various customer classes; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

Finance Director, Isabel Kato, introduced the item. Background information is as follows: During the preliminary audit of the Fiscal Year 2014-2015, the city's auditors observed that the basic monthly service charges and rates for wastewater service for residential customers were not updated since Fiscal Year 2013-2014. The mistake resulted in a savings of wastewater service fees for residential customers of approximately \$22,000 for one year.

Luckily, as of September 30, 2015, the cash position of the Utility Fund increased by approximately \$1,000,000 as opposed to the end of Fiscal Year 2013-2014 that increased by only \$200,000. City Staff feels that it is unreasonable for residential customers to assume

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such a big increase for wastewater rates for one year. Accordingly, City Staff is proposing just a 4% increase from the rates used during Fiscal Year 2014-2015 for next fiscal year, which is exactly the same percentage of increase from Fiscal Year 2014-2015 to Fiscal Year 2015-2016 on the previous tables. Furthermore, during Fiscal Year 2015-2016 the Utility Fund will require another comprehensive water and wastewater rate study. The study will include recommendations to update the City's water and wastewater utility rates for future years. The needed adjustments are set out in the proposed Ordinance included in the meeting packet.

With limited discussion on the matter, Council Member Harper moved to approve Ordinance No. 2015-34, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 70, Utilities, by amending Article II, service bills and rates, at Section 70.77(a)(4) and Section 70.77(a)(5) to provide for a new basic monthly service charge for the various customer classes for wastewater service and rates for wastewater service for the various customer classes; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-34

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 70, UTILITIES, BY AMENDING ARTICLE II, SERVICE BILLS AND RATES, AT SECTION 70.77(A)(4) AND SECTION 70.77(A)(5) TO PROVIDE FOR A NEW BASIC MONTHLY SERVICE CHARGE FOR THE VARIOUS CUSTOMER CLASSES FOR WASTEWATER SERVICE AND RATES FOR WASTEWATER SERVICE FOR THE VARIOUS CUSTOMER CLASSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

**6. Consider Resolution No. 2015-87, designating a city representative and an alternate representative to the Houston-Galveston Area Council's 2016 General Assembly.**

Lorri Coody, City Secretary, introduced the item. She explained that the Houston Galveston Area Council (HGAC) has requested the City's participation in selecting a City representative for the Houston Galveston Area Council 2016 General Assembly.

Former Council Member Harry Beckwith III was the designated representative and Councilmember Tom Eustace was the designated alternate representative for the Houston Galveston Area Council 2015 General Assembly.

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This item is to designate a city representative and alternate representative to the Houston Galveston Area Council 2016 General Assembly.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2015-87, designating Council Member, Tom Eustace as the representative and Council Member, Andrew Mitcham as the alternate representative to the Houston-Galveston Area Council's 2016 General Assembly. 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. 2015-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING A CITY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE HOUSTON-GALVESTON AREA COUNCIL'S 2016 GENERAL ASSEMBLY.

**7. Discuss and take appropriate action regarding commitment of city resources for proposed Jersey Village Military Appreciation Day.**

Council Member Harper introduced the item. He told City Council of his desire for the City to organize and conduct a military appreciation day in the Spring of 2016. Council Member Harper explained the details of what the event might look like. He referred to pictures included in the meeting packet, including information about the Sixth Calvary's enactment. He also reviewed the speaker list for the event. He closed by stating, since the event would obligate a significant amount of city resources, this item is for Council to discuss the possibility of conducting such an event.

Council discussed the pros and cons of conducting such an event. Most members felt that having such an event is a good idea, but recognized that in order to do a good job; it may require a budget amendment. Additionally, most did not support assigning such a task to City Staff given their current workload.

There was discussion about adding this event to one of the upcoming Recreation and Events Committee events or that the American Legion may be interested in hosting the event.

With no further discussion on the matter, Council Member Harper moved that the Recreation and Events Committee review and determine if there is a reasonably priced way to incorporate a Jersey Village Military Appreciation Day into one of the Committee's future events; and for the Committee to give the City Council feedback as to

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the feasibility of incorporating such an event into one of the Committee's future events. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**L. CLOSE THE REGULAR SESSION**

Mayor Ray closed the Regular Session at 8:57 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.

**M. EXECUTIVE SESSION**

- 1. 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 0.0566 acres, being out of and a part of Lot 1, Partial Replat of Steeplechase Park Section Five, a subdivision recorded under Film Code Number 469116 of the Harris County Map Records and being out of and a part of the called 4.187 acre tract described in the deed to AROP Promenade Jersey Village, LLC recorded under Harris County Clerk's File Number 20140284569, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney***
- 2. 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 0.0447 acres, being out of and a part of Lot 1, U.S. 290 Jersey Subdivision, a subdivision recorded under Film Code Number 441109, Harris County Map Records and being out of and a part of the called 0.745 acre tract described in the deed to Ganesh Shriom Investments Inc., recorded under Harris County Clerk's File Number 20080489012, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney***
- 3. 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 0.0832 acres, being out of and a part of Lot 1, Jersey Northwest Section 2, a subdivision recorded under Film Code Number 625032, Harris County Map Records and being out of and a part of the called 4.1926 acre tract described in the deed to Baker, Green, Schulte Properties LLC, recorded under Harris County Clerk's File Number 20080225544, located within the City of Jersey Village, Harris County, State of Texas. *Scott Bounds, City Attorney***

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**N. ADJOURN EXECUTIVE SESSION**

Mayor Ray adjourned the Executive Session at 9:11 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

**O. REGULAR SESSION CONTINUED**

- 1. Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2015-88, approving a settlement agreement with AROP Promenade Jersey Village, LLC, for the acquisition of a water line easement across a 0.0566 acre tract of land (Parcel 717) 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 Sheppard moved to approve Resolution No. 2015-88, approving a settlement agreement with AROP Promenade Jersey Village, LLC, for the acquisition of a water line easement across a 0.0566 acre tract of land (Parcel 717) 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. 2015-88

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH AROP PROMENADE JERSEY VILLAGE, LLC, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.0566 ACRE TRACT OF LAND (PARCEL 717) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; AND 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. 2015-89, approving a settlement agreement with Ganesh Shriom Investments Inc., for the acquisition of a water line easement across a 0.0447 acre tract of land (Parcel 730) 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 Eustace moved to approve Resolution No. 2015-89, approving a settlement agreement with Ganesh Shriom Investments Inc., for the acquisition of a water line easement across a 0.0447 acre tract of land (Parcel 730) 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. 2015-89

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH GANESH SHRIOM INVESTMENTS INC., A TEXAS CORPORATION, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.0447 ACRE TRACT OF LAND (PARCEL 730) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; AND MAKING OTHER FINDINGS RELATED HERETO; AND 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. 2015-90, approving a settlement agreement with River Oaks Emergency Center, L.L.C., for the acquisition of a water line easement across a 0.0832 acre tract of land (Parcel 733) 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 Mitcham moved to approve Resolution No. 2015-90, approving a settlement agreement with River Oaks Emergency Center, L.L.C., for the acquisition of a water line easement across a 0.0832 acre tract of land (Parcel 733) 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 Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-90

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A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS APPROVING A SETTLEMENT AGREEMENT WITH RIVER OAKS EMERGENCY CENTER, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.0823 ACRE TRACT OF LAND (PARCEL 733) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; AND MAKING OTHER FINDINGS RELATED HERETO; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS.

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

**Council Member Holden:** Council Member Holden expressed his condolences for Hank Taylor's Family. Hank was a good man who did much for the City. He will be missed.

**Council Member Mitcham:** Council Member Mitcham also offered his condolences for Hank Taylor's family.

**Council Member Sheppard:** Council Member Sheppard expressed her condolences for Hank Taylor's Family. He will be missed.

**Council Member Eustace:** Council Member Eustace expressed his condolences for Hank Taylor's Family and for Council Member Holden and his family.

**Mayor Ray:** Mayor Ray expressed his condolences for Hank Taylor's Family. Hank was a good man. He will be missed. He also thanked Staff for their hard work.

**Q. ADJOURN**

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There being no further business on the Agenda the meeting was adjourned at 9:30 p.m.

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Lorri Coody, City Secretary