

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JUNE 27, 2016 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Ray at 7:00 p.m. with the following present:

Mayor, Justin Ray

City Manager, Mike Castro, PhD

Council Member, Andrew Mitcham

City Secretary, Lorri Coody

Council Member, Greg Holden

City Attorney, Loren Smith

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; Kevin T. Hagerich, Public Works Director; and Kimberly Terrell, Director of Parks and Recreation.

B. ELECTION MATTERS

- 1. Consider Ordinance No. 2016-21, canvassing the returns and declaring the results of the Municipal Runoff Election held on June 18, 2016, for the purpose of electing at large a Councilmember for Place 5.**

Mayor Ray called the item and opened the sealed envelope containing the canvass report for the June 18, 2016 Municipal Runoff Election for the City of Jersey Village. He instructed the members of council to open their envelopes containing the canvass report and to review same. A summary is as follows:

<i>Name of Candidate</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
Councilmember Place No. 5			
Tom Eustace	204	63	267
Gary Wubbenhorst	215	63	278

Mayor Ray read the returns and announced the following:

The official canvass of the returns of the Municipal Runoff Election held on June 18, 2016 reflects that Gary Wubbenhorst was duly elected as Councilmember Place No. 5.

Once the Council Members had completed their review of the canvass, Mayor Ray called for a motion to approve Ordinance No. 2016-21, canvassing the returns and declaring the results of the Municipal Runoff Election held on June 18, 2016, for the purpose of electing at large a Councilmember for Place 5.

Council Member Mitcham moved to approve Ordinance No. 2016-21, canvassing the returns and declaring the results of the Municipal Runoff Election held on June 18, 2016,

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for the purpose of electing at large a Councilmember for Place 5. 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. 2016-21

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MUNICIPAL RUNOFF ELECTION HELD ON JUNE 18, 2016 FOR THE PURPOSE OF ELECTING AT LARGE A COUNCILMEMBER FOR PLACE 5.

After the Ordinance passed, Mayor Ray stated the following:

This concludes the canvass of the Municipal Runoff Election held on June 18, 2016 for the City Jersey Village with a total of 546 voters.

Mayor Ray called the next two items (2 and 3) together.

2. Issuance of Certificate of Election to Newly Elected Official.

City Secretary, Lorri Coody, delivered the Certificate of Election to the newly elected Gary Wubbenhorst, Council Member for Place 5.

3. Administer Oath of Office to Elected Official.

City Secretary, Lorri Coody, administered the Oath of Office to the newly elected Gary Wubbenhorst, Council Member for Place 5.

4. Recognition and Presentation of Service Award to outgoing Council Member, Tom Eustace, for his years of service to the City of Jersey Village.

Mayor Ray recognized and presented a service plaque to outgoing Council Member Tom Eustace for his years of service to the City of Jersey Village.

RECESS – Mayor Ray called for a recess at 7:06 p.m. in order that the newly elected member of Council could take his place at the Council dais.

Council Member, Gary Wubbenhorst took the place of outgoing Council Member Eustace and the meeting resumed at 7:13 p.m.

C. SPECIAL AGENDA

1. Consider Resolution No. 2016-21, electing a Mayor Pro Tem.

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Mayor Ray called the item and explained the Charter requirements for electing a Mayor Pro tem. With limited discussion, Council Member Holden moved to nominate Council Member Sheppard to serve as Mayor Pro Tem. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Harper, and Wubbenhorst

Nays: None

Abstained: Council Member Sheppard

The motion carried.

Mayor Ray then called for a motion on Resolution 2016-21. Council Member Mitcham moved to approve Resolution No. 2016-21, electing Sheri Sheppard as Mayor Pro Tem. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2016-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ELECTING A MAYOR PRO TEM.

2. Consider Resolution No. 2016-22, assigning Council Members to serve as liaison to various city committees and boards.

Mayor Ray called the item, stating that the only Board/Committee without a liaison is the Board of Adjustment. He asked for discussion on the matter, and if there would be any changes in the current assignments. The consensus was that Council Member Wubbenhorst should be the liaison for the Board of Adjustment.

With limited discussion on this item, Council Member Mitcham moved to approve Resolution No. 2016-22, by assigning all Council Members to their previously assigned liaison positions with the exception of Council Member Wubbenhorst, who shall be assigned as Liaison to the Board of Adjustment. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2016-22

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING COUNCIL LIAISONS TO VARIOUS BOARDS AND COMMITTEES.

3. Consider Resolution No. 2016-23, accepting the resignation of Crime Control and Prevention District Board Member Tom Eustace, and appointing a new member to the Crime Control and Prevention District for the term ending August 31, 2016.

Lorri Coody, City Secretary, introduced the item. She told Council that the Jersey Village Crime Control and Prevention District (“District”), organized and existing under Chapter 363, Texas Local Government Code, is governed by a board of directors of seven members appointed by the City Council for terms of two years.

The current members of the board of directors and the termination dates of their terms of office are Greg Holden, August 31, 2017; Justin Ray, August 31, 2017; C. J. Harper, August 31, 2017; Tom Eustace, August 31, 2016; Sheri Sheppard, August 31, 2016; Andrew Mitcham, August 31, 2016; and Duncan Klussmann, August 31, 2016.

Tom Eustace has resigned as member of the board of directors. Gary Wubbenhorst is a newly elected Council Member.

With limited discussion on this item, Council Member Sheppard moved to accept the resignation of Crime Control and Prevention District Board Member Tom Eustace, and appoint Gary Wubbenhorst to the Crime Control and Prevention District for the term ending August 31, 2016. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2016-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING RESIGNATION OF TOM EUSTACE DIRECTOR OF THE JERSEY VILLAGE CRIME CONTROL DISTRICT AND APPOINTING REPLACEMENT.

D. CLOSE THE SPECIAL SESSION

Mayor Ray closed the Special Session at 7:18 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney.

E. EXECUTIVE SESSION

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1. **Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 to discuss Right of Entry Agreement for the Joe Myers Ford property as it relates to US 290 Soundwall construction. *City Attorney***

F. ADJOURN EXECUTIVE SESSION

Mayor Ray adjourned the Executive Session at 8:07 p.m. and reconvened the Special Session, stating that no final actions, decisions, or votes were had during the Executive session.

G. SPECIAL SESSION CONTINUED

1. **Discuss and take appropriate action regarding Right of Entry Agreement for the Joe Myers Ford property as it relates to US 290 Soundwall construction.**

With no discussion on this item, Council Member Holden moved to authorize the City Manager to enter into a Right of Entry Agreement for the Joe Myers Ford property as it relates to the US 290 Soundwall construction with the following revisions:

Revisions for Item five (5) on page 1:

5. All surveying and geotechnical assessments are to be performed and completed within ~~fifteen (15)~~ thirty (30) working days or a time period acceptable to the City Manager after the commencement date . . .

Revisions for item eight (8) on page 2:

8. TxDot and the City, to the maximum extent allowable by law and the Texas Constitution, shall defend, indemnify . . .

Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:10 p.m.

Lorri Coody, City Secretary