

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JULY 18, 2016 AT 6:00 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 6:02 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, Leah Hayes

Council Member, C. J. Harper

Council Member, Sheri Sheppard

Council Member, Gary Wubbenhorst

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. INVOCATION AND PLEDGE OF ALLEGIANCE**

- 1. Prayer by: Jeremy E. Ray American Legion Post 324 Chaplain.**
- 2. Pledge by: Stefanie Otto, Commander, Jeremy E. Ray American Legion Post 324.**

**C. PRESENTATIONS**

- 1. Presentation of Police Department Employee of the Second Quarter Award – by Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.**

*Mayor Ray called this item out of order in the later part of this meeting.*

**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 about the city operated golf course.

**E. CITY MANAGER'S REPORT**

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – May 2016, Quarterly Investment Report – June 2016, and Budget Projections as of June 2016.**
- 2. 2016 Recreational Vehicle Program Update and Open Records Requests – Non-Police, Recreational Vehicle Registration Update.**
- 3. Fire Departmental Report and Communication Division's Monthly Report.**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Staffing/Recruitment Report, Stop Sign and Speed Report, and Police Open Records Requests.**

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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.**

**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 June 20, 2016 and the Special Session Meeting held on June 27, 2016.**
2. **Consider Resolution No. 2016-21, authorizing the re-appointment of Directors Mitcham, Sheppard, Wubbenhorst, and Klussmann to a two year term on the City of Jersey Village Crime Control and Prevention District to begin on September 1, 2016 and end on August 31, 2018.**

RESOLUTION NO. 2016-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE RE-APPOINTMENT OF DIRECTORS MITCHAM, SHEPPARD, WUBBENHORST, AND KLUSSMANN TO A TWO YEAR TERM ON THE CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT TO BEGIN ON SEPTEMBER 1, 2016 AND END ON AUGUST 31, 2018.

3. **Consider Resolution No. 2016-22, authorizing an agreement with Richard Hillyer for Consultant Services for the review of the Employees' Group Medical Insurance Plans.**

RESOLUTION NO. 2016-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH RICHARD HILLYER FOR CONSULTANT SERVICES FOR THE REVIEW OF THE EMPLOYEES' GROUP MEDICAL INSURANCE PLANS.

4. **Consider Resolution No. 2016-23, entering into a contract to with Harris County Fire Fighters Association to provide mutual aid to other fire agencies in Harris County.**

RESOLUTION NO. 2016-23

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ENTERING INTO A CONTRACT TO WITH HARRIS COUNTY FIRE FIGHTERS ASSOCIATION TO PROVIDE MUTUAL AID TO OTHER FIRE AGENCIES IN HARRIS COUNTY.

Council Member Mitcham moved to approve items 1 through 4 on the consent agenda. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**G. REGULAR AGENDA**

- 1. Consider Ordinance No. 2016-21, receiving the Planning And Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning And Zoning Commission authorizing proposed amendments to Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas concerning revisions of the Official Zoning Map to include the property located at 17100 Northwest Freeway in base Zoning District "F" into the boundaries of the Motor Vehicle Sales Overlay District.**

Rick Faircloth, Vice Chairman of the Planning and Zoning Commission, introduced the item. He told City Council that the Planning and Zoning Commission met on July 11, 2016 to review Gary Campbell's request to expand the boundaries of the Motor Vehicle Sales Overlay District to include the property located in Zoning District F at 17100 Northwest Freeway and to prepare a preliminary report containing its findings.

The Commissioners concluded that the proposal was not consistent with the intent of the Motor Vehicle Sales Overlay District "...to promote the general welfare, to conserve property values and to promote the most appropriate use of land in the city" (City of Jersey Village Code of Ordinances Section 14-111(a)) and voted unanimously to submit a Preliminary Written Report to City Council recommending denial of the application.

Accordingly, the Planning and Zoning Commission presents its preliminary report in connection with its findings to City Council tonight and asks that it be received, and to proceed with a joint public hearing.

With no discussion on the matter, Council Member Holden moved to approve Ordinance No. 2016-21, receiving the Planning And Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission authorizing proposed amendments to Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas concerning revisions of the Official Zoning Map to include the property located at 17100 Northwest Freeway in base Zoning District "F" into

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the boundaries of the Motor Vehicle Sales Overlay District. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Sheppard and Wubbenhorst

Nays: None

Abstain: Council Member Harper

The motion carried.

ORDINANCE NO. 2016-21

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION AUTHORIZING PROPOSED AMENDMENTS TO CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS CONCERNING REVISIONS OF THE OFFICIAL ZONING MAP TO INCLUDE THE PROPERTY LOCATED AT 17100 NORTHWEST FREEWAY IN BASE ZONING DISTRICT "F" INTO THE BOUNDARIES OF THE MOTOR VEHICLE SALES OVERLAY DISTRICT.

**2. Receive, discuss, and take appropriate action on a presentation pertaining to the capital expenditures required for the White Oak Bayou Waste Water Treatment Plant.**

Kevin T. Hagerich, Director of Public Works, introduced Consultants Jacob Valentin and Bethany Miller from the engineering firm Jones and Carter who gave a presentation on the Inspection Results and Capital Planning for the White Oak Bayou Waste Water Treatment Plant.

Ms. Miller began the presentation by showing pictures of various structures that make up the plant, demonstrating the condition of same. Mr. Valentin discussed the Capital Planning Philosophy, consisting of three phases – (1) Regulatory Compliance, (2) Safety, and (3) Operational Improvements. He then showed a Capital Improvements Plan Timeline depicting the time frame for addressing each of the three phases over the next thirty (30) years. He closed by giving additional information about each of the phases and the necessary repairs/maintenance required.

In completing the presentation, the Consultants fielded the following questions and answered accordingly:

1. Will the CIP Projects expand the footprint of the plant? Yes, in that the generator and other required structures will fill the rectangular area of the property that is not currently being used.

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2. What are the total replacement/repair costs? \$8.2 million over the next seven (7) years of which the City of Jersey Village's portion will be 40.61% to be paid out over these seven (7) years.
3. A new plant will cost approximately \$10 per gallon or \$20 million, and will still need maintenance.

Funding for and the City's decision on how to move forward with the repairs/maintenance for this facility will be discussed at greater length during the budget work session scheduled later in this agenda.

*Mayor Ray called the next item out of order*

**C. PRESENTATIONS**

1. **Presentation of Police Department Employee of the Second Quarter Award – by Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.**

Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post #324, along with Mayor Ray, presented the Police Department Employee of the Second Quarter award to Officer Justin Boughter.

*Mayor Ray resumed the regular agenda by calling the following item:*

3. **Consider Ordinance No. 2016-22, amending the City's General Fund Budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016 by increasing line item 01-31-5515 in the amount not to exceed \$20,000 to cover cost associated with Consultant Services in the City's Community Development Department.**

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

The City of Jersey Village Community Development Department is assisted with outsourced inspections by a consultant. In the event the Building Official has an inordinate amount of construction plan review or is out of the office due to training, vacation time, or sickness, the consultant comes in and handles the daily inspections for the City. Due to an increased volume of plan review, and tracking construction activity due to the recent flooding event, 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 \$20,000.

With no discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2016-22, amending the City's General Fund Budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016 by increasing line item 01-31-5515 in the amount not to exceed \$20,000 to cover cost associated with Consultant

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Services in the City's Community Development Department. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2016-22

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 BY INCREASING LINE ITEM 01-31-5515 IN THE AMOUNT NOT TO EXCEED \$20,000 TO COVER COST ASSOCIATED WITH CONSULTANT SERVICES IN THE CITY'S COMMUNITY DEVELOPMENT DEPARTMENT.

**4. Consider Resolution No. 2016-24, nominating qualified candidates to the Board of Trustees of TML Intergovernmental Risk Pool.**

Lorri Coody, City Secretary, introduced the item. Background information is as follows:

The Texas Municipal League Intergovernmental Risk Pool Board is comprised of fifteen voting members, twelve of whom are elected by the Pool's membership to serve staggered, six-year terms. Every even-numbered year, the term of office for one-third of the elected trustees expires and an election is held to fill those places. In connection with same, the terms for Trustee Places 6 through 9 will expire on October 1, 2016. The Incumbent candidates are:

Place 6 - **Mary Gauer** (Incumbent).

Place 7 – **Charles (CJ) Wax** (Incumbent).

Place 8 - **Larry Melton** (Incumbent).

Place 9 - **Andres Garza** (Incumbent).

This item is to consider and nominate qualified candidates to the Board of Trustees of TML Intergovernmental Risk Pool.

With no discussion on the matter, Council Member Holden moved to approve Resolution No. 2016-24, nominating the current incumbents to these positions as qualified candidates to the Board of Trustees of TML Intergovernmental Risk Pool. Council Member Harper seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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RESOLUTION NO. 2016-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, NOMINATING A QUALIFIED CANDIDATE TO THE BOARD OF TRUSTEES OF TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL.

**H. CLOSE THE REGULAR SESSION**

Mayor Ray closed the Regular Session at 6:38 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 – Consultation w/Attorney, Section 551.072 – Deliberation Regarding Real Property, and Section 551.074 – Personnel Matters.

**I. 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 a 0.0894 acre tract of land being out of and a part of Reserve “B,” Jersey Northwest Section 1, a subdivision recorded under Film Code Number (F.C. No.) 352112, Harris County Map Records (H.C.M.R.) and being out of and a part of the called 9.3520 acre tract described in the deed to Pamela Pappas Mattingly and Mersina Pappas Stubbs, recorded under Harris County Clerk’s File Number (H.C.C.F. No.) U060265, located within the City of Jersey Village, Harris County, State of Texas. *Leah Hayes, City Attorney*
2. Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager. *City Council*

**J. ADJOURN EXECUTIVE SESSION**

Mayor Ray adjourned the Executive Session at 7:47 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. 2016-25, approving a Settlement Agreement with Pamela Pappas Mattingly and Mersina Pappas Stubbs for the acquisition of a water line easement across a 0.0894 acre tract of land (Parcel 732) as part of the 290 Water Line Project within the City of Jersey Village; and authorizing the City Manager to execute the settlement agreement and related documents; and making other findings related hereto.

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Leah Hayes, City Attorney, introduced the item. She told City Council that this item is to approve a settlement offer in the amount of \$35,000 for the acquisition of a water line easement across a 0.0894 acre tract of land owned by Pamela Pappas Mattingly and Mersina Pappas Stubbs.

With no discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2016-25, approving a Settlement Agreement with Pamela Pappas Mattingly and Mersina Pappas Stubbs for the acquisition of a water line easement across a 0.0894 acre tract of land (Parcel 732) as part of the 290 Water Line Project within the City of Jersey Village; and authorizing the City Manager to execute the settlement agreement and related documents; and making other findings related hereto. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Sheppard and Wubbenhorst

Nays: None

Abstain: Council Member Harper

The motion carried.

RESOLUTION NO. 2016-25

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING A SETTLEMENT AGREEMENT WITH PAMELA PAPPAS MATTINGLY AND MERSINA PAPPAS STUBBS FOR THE ACQUISITION OF A WATER LINE EASEMENT ACROSS A 0.0894 ACRE TRACT OF LAND (PARCEL 732) AS PART OF THE 290 WATER LINE PROJECT WITHIN THE CITY OF JERSEY VILLAGE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS; AND MAKING OTHER FINDINGS RELATED HERETO.

- 2. Discuss and take appropriate action on matters discussed in Executive Session regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.**

No action was taken on this item.

**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



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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 Wubbenhorst:** Council Member Wubbenhorst had no comments.

**Council Member Sheppard:** Council Member Sheppard spoke to the success of movie night held at the Golf Course. She thanked the Parks and Recreation Committee for this event.

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

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

**Council Member Harper:** Council Member Harper also thanked the Parks and Recreation Committee for a successful movie night. He also thanked Kimberly Terrell, Director of Parks and Recreation, for her work.

**Mayor Ray:** Mayor Ray stated that he attended the movie night event and it was a great success. He thanked the Parks and Recreation Committee and Kimberly Terrell, Director of Parks and Recreation, for the event.

**Upon completion of Agenda Items A through L, City Council will take a short recess (7:50 p.m.) in order to reconvene the remaining agenda item M. Work Session Agenda – Budget Items) in the City of Jersey Village Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas.**

Mayor Ray reconvened the meeting in the Civic Center Meeting Room at 8:00 p.m., and called the next item on the agenda as follows:

**M. WORK SESSION AGENDA - BUDGET ITEMS**

**1. Review and discuss the proposed fiscal year 2016-2017 municipal budget.**

City Manager Mike Castro began the review of the 2016-2017 municipal budget with a presentation including an overview of the following important areas:

- Budget Goals
- Systemic Issues
- General Fund Revenues Vs. Expenditures FY 07 through FY 16
- FY 15-16 Accomplishments
- Revenue Estimates – General Fund for FY 2016
  - Project General Fund Revenues

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- Assessed Valuations – FY 07 through FY 15
- Sales Tax Trend – FY 12 through FY 16
- Property Tax Rate
- Franchise Fees, Service Fees, and Fines
- FY 2015-2016 Revenue and Expenditure Projections
- FY 2016-2017 Revenue and Expenditure Projections – Base Budget
- FY 2016-2017 Revenue and Expenditure Including Supplementals
- Operational Goals for FY 2015-2016
- FY 2016-2017 – Supplemental
- Compensation
- Utility Fund
- Coming Attractions
- Budget Calendar

Throughout the City Manager's presentation, Council engaged in discussion on various topics including the following:

1. The effects of the April 18, 2016 Flood Event on property valuations.
2. The capability of the new automated water meters to better calculate water usage.
3. The possibility of having a roll-back situation similar to that of last year.

Upon completing the City Manager's overview of the 2016-2017 fiscal municipal budget, Mayor Ray called for a review of the budget by division and department (the yellow sheets) as follows:

- General Fund - Revenues and Expenses

Throughout the review of the General Fund, City Council engaged in the following discussions:

1. A 3% increase has been built into the salary figures presented in the budget;
2. A decrease in the line item for legal fees;
3. Sales in the pro-shop at the Golf Course;
4. The setting of green fees – done in December each year;
5. Decrease in Communications line item 13-5020 is due to better rates;
6. Health insurance costs vary from department to department as a result of different coverage choices by employees;
7. A decrease in line item 21-3054 is due to moving two (2) positions to the CCPD budget;
8. Supplementals and retirement for fund 21-Police generally;
9. The location of engineering services for the long-term flood recovery consultant within the 2016-2017 budget;
10. The large number of supplementals for fund 32-Streets;
11. Supplementals for city branding, way-finding, city entrances, and a dog park;

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In completing the review of the General Fund, City Council proceeded with a review of the following Funds:

- Utility Fund - Revenues and Expenses
- Debt Service Fund - Revenues and Expenses
- Impact Fee Fund - Revenues and Expenses
- Motel Tax Fund - Revenues and Expenses
- Asset Forfeiture Fund - Revenues and Expenses
- Capital Replacement Fund – Revenues and Expenses
- Traffic Safety Fund – Revenues and Expenses
- Capital Improvements Fund - Revenues and Expenses
- Golf Course Fund - Revenues and Expenses
- Court Restricted Fee Fund - Revenues and Expenses
- Street Bond Fund - Revenues and Expenses
- Jones Road Extension Fund
- Red Light Camera Fund - Revenues and Expenses
- JV Crime Control Fund – Revenues and Expenses

Throughout the review of these Funds, City Council engaged in the following discussions:

1. The dollars needed for the White Oak Bayou Treatment Plant not being included in the budget;
2. Minimum fund balance requirements for the Utility Fund;
3. Capital Outlay supplementals;
4. Capital Outlay – New City Hall line item 91-7125 \$450,000 moved to FY 2017-2018; and
5. Line item 28-4504 Software Maintenance should be \$7,600 not \$76,000;

City Council completed the review of the yellow sheets at 10:22 p.m.

Mayor Ray announced that the budget review will continue tomorrow evening, July 19, 2016 at 6:00 P.M. with discussions on capital improvements, supplementals, and the tax rate.

**N. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 10:22 p.m.

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Lorri Coody, City Secretary