

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 15, 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 7:07 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, 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.

City Manager, Jim Gray, also attended the meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge: Council Member, Sheri Sheppard

C. JOINT PUBLIC HEARINGS

Mayor, Justin Ray and Planning and Zoning Chairman, Debra Mergel opened the joint public hearing at 7:08 p.m. In addition to the City Council Members listed above, the following City of Jersey Village Planning and Zoning Commission members present:

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|--------------------------------|-----------------------------------|
| 1. Chairman Debra Mergel | 4. Commissioner Barbara Freeman |
| 2. Commissioner Rick Faircloth | 5. Commissioner Michael R. O'Neal |
| 3. Commissioner Joseph Paul | |

Commissioner Joyce Berube was not present at this meeting. Commissioner Place 1 is vacant.

The purpose of the Joint Public Hearing is to receive written and oral comments from any interested person(s) concerning the Preliminary Report of the Planning and Zoning Commission on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.

After opening the Joint Public Hearing, Mayor Ray called the following item:

1. **Presentation on the proposal to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district "F" at 17100 Northwest Freeway.**

Kevin T. Hagerich, Director of Public Works, gave a presentation on the proposal to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property

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located in base zoning District “F” at 17100 Northwest Freeway. The presentation covered the following items:

- A. Section 14-84 Amendments to district boundaries;
- B. Answered why we are going through this process;
- C. The zoning application filed June 16, 2016;
- D. The current zoning map;
- E. The location of the property on the current zoning map;
- F. Adjacent Property Uses in Zoning District F – and Property Values;
- G. Specific Use Considerations;
- H. Excerpt from Comprehensive Plan regarding Future Land Use along the US 290 Corridor;
- I. Insert of Motor Vehicle Sales Overlay District; and
- J. Concluding statements.

Hearing no questions about the presentation, Mayor Ray called the next item on the agenda as follows:

- 2. Presentation of application to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway by the applicant Gary Campbell on behalf of the property owners Pamela Pappas Mattingly and Mersina Pappas Stubbs.**

Gary Campbell, Applicant, gave a brief explanation of his request to expand the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway. He explained that he intended to purchase the property in order to build a Subaru Dealership. He gave background information about the Subaru Dealership and concluded that this location is perfect for this type of business.

- 3. Conduct a Joint Public Hearing with the Planning and Zoning Commission for the purpose of receiving written and oral comments from any interested person(s) concerning the Preliminary Report of the Planning and Zoning Commission on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.**

In calling the item, Mayor Ray restated that the purpose of the Joint Public Hearing is to receive written and oral comments from any interested person(s) concerning the Preliminary Report of the Planning and Zoning Commission on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.

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He then called those individuals signing up to speak on this matter as follows:

Oscar Mohkamkar, 17000 Preston Road, Suite 322, Dallas, Texas 75248 (972) 365-7999 – Mr. Mohkamkar is the architect drawing the plans for the dealership to be located on the property that is the subject of this Joint Public Hearing. He gave a short presentation consisting of the following PowerPoint slides:

- Location of Site;
- Proposed Facility;
- Location of Facility on Property;
- Architectural Site Plan;
- Floor Plan;
- Exterior Elevations and Material to be used in construction; and
- Furniture and Fixture Plan.

Brad LyBrand, 1730 French Village Drive, Houston, Texas 77055 (713) 438-9516 – Mr. LyBrand spoke about the property that is the subject of this public hearing. He showed a PowerPoint slide that demonstrated the general location of the property and the abutting properties. He explained that it is a difficult property to develop because of its limited highway frontage. He tried to market the property for retail, but was unable to get any interest due to the size and location of the property along US Hwy 290. He concluded his talk by stating that the property is ideally suited for a car dealership.

Dan Quinlan (did not complete a Joint Public Hearing Comment Card) – Mr. Quinlan is a resident of Jersey Village. He explained that he sold the property in question to the Pappas family who in turn leased it to Houston Garden Center. He spoke to the limited highway frontage and the single curb cut. He stated that having a Subaru Dealership at this location would be a blessing and would increase tax revenues for the city.

Ryan Getz, 2500 Tangewilde Street, Suite 120, Houston, Texas 77441 – Mr. Getz is a civil engineer. He spoke about the importance of drainage for new construction in Jersey Village. He stated for this particular property, drainage is important. The proposed plans include a detention pond that ties into the Harris County Flood Control District's existing drainage.

Cris Feldman, 3355 West Alabama, Houston, Texas (713) 986-9471 – Mr. Feldman, although completing a Joint Public Hearing Comment Card, did not speak when called.

With no other citizens signing up to speak at the Joint Public Hearing, Mayor Ray and Chairman Mergel closed the public meeting at 7:25 p.m. and the Planning and Zoning Commission retired from the City Council meeting to conduct its posted meeting agenda at 7:25 p.m.

D. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

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1. Receive the adopted fiscal year 2016-2017 budget from the Jersey Village Crime Control and Prevention District (CCPD).

Council received submission of the 2016-2017 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 2016-2017.

Mayor Ray opened the public hearing at 7:28 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2016-2017 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 2016-2017 JVCCPD budget. Chief Foerster explained that the budget being presented includes the following 2016-2017 supplementals:

JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT SUPPLEMENTAL EXPENDITURES FY 2016-2017						
	50-27-4599 Miscellaneous Equipment	50-27-4598 Vehicles	50-27-4580 Repairs Police Building	50-27-4573 Computer Equipment	50-27-5523 Personnel	TOTAL
Flir - Handheld units (2)	\$ 7,000.00					\$ 7,000.00
Floor Mats	\$ 1,500.00					\$ 1,500.00
Tahoe's and outfiring (3)		\$ 155,000.00				\$ 155,000.00
Repairs Police Building		\$ 35,000.00				\$ 35,000.00
Video Surveillance Camera - Upgrade			\$ 4,000.00			\$ 4,000.00
Part Time Hours (16 per week @\$24.00 per hour)				\$ 24,000.00		\$ 24,000.00
Radio Maintenance Service	\$ 5,000.00					\$ 5,000.00
Total						\$ 237,500.00

With no one signing up to speak on the 2016-2017 JVCCPD budget, Mayor Ray closed the public hearing at 7:29 p.m. and called the next item on the agenda.

3. Consider Resolution No. 2016-29, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2016-2017.

With no discussion on the matter, Council Member Mitcham moved to approve

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Resolution No. 2016-29, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2016-2017. 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. 2016-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY
VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2016-2017 CRIME
CONTROL AND PREVENTION DISTRICT BUDGET

E. 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 “grey water” project scheduled for the City’s Golf Course.

Fred Ziehe, 8409 Hawii Lane, Jersey Village, Texas (713) 870-4162 – Mr. Ziehe spoke to flooding issues in Jersey Village.

Nel Coffey, League of Women Voters, 16230 Seattle Street, Jersey Village, Texas (281) 989-3978 – Ms. Coffey spoke to the pros and cons of high speed rail and asked Council about using City facilities for conducting a public meeting.

Linda Meleski, 16005 Wall, Jersey Village, Texas (713) 582-7125 – Ms. Meleski complained about the tall grass in the Bayou and the need for the Bayou to be mowed.

Barbi Freeman, 15501 Jersey Drive, Jersey Village, Texas (713) 466-6903 – Ms. Freeman attended the Planning and Zoning Meeting as was not available to speak when called.

Rod Erskine, 32 Parkway Place, Jersey Village, Texas (281) 827-1183 – Mr. Erskine thanked Mike Castro for his 11 years of service to the City of Jersey Village. He stated that Jersey Village has benefited from his skills and he will be missed.

F. CITY MANAGER’S REPORT

City Manager, Mike Castro, in addition to his monthly report outlined below, told City Council that Court Administrator Paul Rex has received his Level 3 certification. This certification is the highest level to achieve and only some 60 Court Administrators in the state hold this certification. City

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Manager Castro also told City Council of the need to delay the receipt of bids for the Segment 7 Utilities Relocation. Council had a few comments/questions concerning the area currently being utilized by Four Seasons for construction efforts and the need to clean this area once construction was complete. There were also questions concerning Code Enforcement to which Code Enforcement Officer Gordon Gibson responded accordingly.

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

G. 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 18, 2016 the Work Session Meeting held on July 19, 2016, and the Special Session Meeting held on August 4, 2016.**
- 2. Consider Resolution No. 2016-30, 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, 2016 and ending October 13, 2017.**

RESOLUTION NO. 2016-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, 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, 2016 AND ENDING OCTOBER 13, 2017.

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3. **Consider Ordinance No. 2016-23, amending the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 18, “Businesses,” Article IV. “Alarm Systems and Services,” to provide for changes that accurately represent current alarm permitting practices; providing a severability clause; providing for repeal; providing for penalty; and providing an effective date.**

ORDINANCE NO. 2016-23

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 18, “BUSINESSES,” ARTICLE IV. “ALARM SYSTEMS AND SERVICES,” TO PROVIDE FOR CHANGES THAT ACCURATELY REPRESENT CURRENT ALARM PERMITTING PRACTICES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING FOR PENALTY; AND PROVIDING AN EFFECTIVE DATE.

Council Member Sheppard moved to approve items 1 through 3 on the consent agenda. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

H. REGULAR AGENDA

1. **Consider Resolution No. 2016-31, 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:

Since TML does not provide re-rate information to Jersey Village until the end of August or the first week of September, it is unknown at this time if the City will have an increase in rates for employee group benefits for calendar year 2017. Nonetheless, Dick Hillyer, the City’s Consultant, does not think the increase will be more than 10%, and is currently negotiating for “no increase.”

In the event that the medical rates exceed 10% of the current medical premiums, it has been the practice of staff to recommend that the City go out for proposals for employee group benefits.

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Should we need to go out for proposals, we must advertise. A standard request for proposal was included in the meeting packet. We expect to open bids October 31, 2016 at 2:00 p.m. Mr. Dick Hillyer, Consultant, will assist staff in the review of the proposals and he will make a recommendation in November to Council.

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. The report from TML on the Medical Plan for the first six months of this year through June shows a 90% loss ratio (claims/premium) which is not consistent to prior periods. However, the loss ratio in the last twelve months was 73%. The overall TML pool is experiencing a 92% loss ratio which is a factor in the rate renewal. He expects that the increase in premiums will be around 10%.

With limited discussion on the matter, Council Mitcham to approve Resolution No. 2016-31, 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 Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2016-31

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 Resolution No. 2016-32, authorizing the City Manager to negotiate an agreement with Dannenbaum Engineering Corporation for consulting services related to the development of a Long-Term Flood Recovery Plan.**

Kevin T. Hagerich, Director of Public Works, introduced the item. Background information is as follows: Jersey Village is impacted by chronic flooding along White

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Oak Bayou, with major flooding occurring in 1998, 2001, 2002, and 2016. Despite multiple stormwater drainage improvement efforts by Harris County Flood Control District (HCFCD), and significant street and drainage reconstruction projects completed by the City, approximately 200 homes within Jersey Village were impacted by flooding during the April 18, 2016 rain event.

As a result, the City desires to investigate options and develop a strategic plan to lessen the impact of flooding in Jersey Village. At the June 20, 2016 Council Session, City Council approved Resolution No. 2016-20, which authorized staff to proceed with a Request for Qualifications (RFQ), seeking a consultant to assist the City with the development of a Long-Term Flood Recovery Plan.

On July 18, 2016, the City received sealed qualification packets from seven (7) engineering firms in response to the RFQ. A selection team of five (5) City staff members has reviewed each proposal and scored each one using a points system. After thorough research, it is the recommendation of City staff that Dannenbaum Engineering Corporation be chosen to assist the City of Jersey Village with the development of a Long-Term Flood Recovery Plan.

Council engaged in discussion about the selection process and the selection committee. Public Works Director Hagerich explained that all of the firms submitting proposals were qualified to perform the study; however, the evaluating committee rated Dannenbaum highest among those submitted.

Mayor Ray gave a summary of his review of Dannenbaum's RFQ response. He stated that the response was quite detailed, being 80 pages. Mayor Ray's summary included the following:

Qualifications – Deeply experienced with this type of study request. 70 years of experience, long history of working with the Harris County Flood Control District, have developed similar studies/plans and have specific experience with White Oak Bayou.

Citizen Feedback – Dannenbaum noted citizen feedback as key to other studies they performed.

Tailored/Focused Solutions – The Dannenbaum team has over 42 years of hydraulic experience, excellent staffing that fit with what we are trying to accomplish. They can complete the study in six months and they were recommended by the Harris County Flood Control District.

Council briefly discussed the reasoning for the RFQ addressing land use in the "TOD." Mr. Hagerich explained that should that area develop, it will be important to know how the development will affect flooding in the city.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Resolution No. 2016-32, authorizing the City Manager to negotiate an agreement

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with Dannenbaum Engineering Corporation for consulting services related to the development of a Long-Term Flood Recovery Plan. 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. 2016-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH DANNENBAUM ENGINEERING CORPORATION FOR CONSULTING SERVICES RELATED TO THE DEVELOPMENT OF A LONG-TERM FLOOD RECOVERY PLAN.

3. Discuss and take appropriate action concerning any budget changes to the proposed 2016-2017 Municipal Budget.

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

City Council met on July 18, 2016 and July 19, 2016 in a budget work session to review and discuss the proposed 2016-2017 budget. Since these meetings, several changes to the proposed budget are necessary.

The changes proposed are as follows:

1. Supplemental for Radio Maintenance Service – In June 2016, City Council authorized a 6-year agreement with Motorola for the service and repair of our current radio system. The amount for the Police Department portion is \$8,000 that will be reimbursed by the Jersey Village Crime Control.
2. Supplemental for Recycling Program – Staff presented to City Council a supplemental in the amount of \$2,068, unfortunately in this supplemental the additional homes of the Enclave subdivision were not included and the amount used was calculated using figures from a previous vendor. The current recycling collection rate is \$3.50 per household, per month. The amount of the revised supplemental is \$22,000.
3. Supplemental for Consultant Services – The City Manager's position will become vacant the end of August, 2016. This supplemental in the amount of \$40,000 is necessary to allocate sufficient funds into the Consultant Services line item account in order to enter into a contract with a recruitment firm that will assist the City in the search of a quality City Manager.

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In addition to the above budget changes, there were several questions asked of Staff during the budget meetings concerning the following:

1. The clarifier rehabilitation cost of \$210,000 at the Castlebridge WWTP.

The plan includes introducing a 2nd clarifier for redundancy. Council discussed the pros and cons of having a temporary structure versus a permanent structure for this plant. Staff will research the difference in cost for each option.

Staff's response

Whether the clarifier is permanent or temporary, the other clarifier needs to be taken down for cleaning and maintenance. The normal practice should be to take down a clarifier each year or two to ensure it is fully operational and to ensure we do not violate the permit for the plant. The history on the plant indicates it was built to serve the needs of the apartment complexes on the other side of Jones Road and was turned over to the city when that area was annexed. We have no documentation showing the clarifier was cleaned, ever. A clarifier is a major component of primary wastewater treatment. My most serious concern is that the two treatment plants that serve our community are separate systems with no redundancy. Therefore, each plant must operate within its own equipment as an independent system. If either a mechanical or electrical failure occurs at that plant, it will cease to function until expensive emergency repairs are performed.

2. The generator purchase for Village Water Plant

Council asked Staff to check into the difference between renting a generator for this plant as opposed to buying and maintaining a generator.

Staff's response

In checking with the local rental store, the needed generator was not available for rental. This is a major concern with renting equipment as opposed to purchasing, especially since there is no power backup system for the lift stations. Another concern is the limited number of staff in comparison to the list of actions needed when responding during an emergency event. Currently, there are only four (4) people to stage equipment; check the lift stations, water plants, and sewage treatment plant; and ensure that the storm drains are cleared. Accordingly, a plan for pre-staging equipment (the generator and the vehicular type equipment) at or near city hall is being developed, as this area is less prone to flooding than the Taylor Station Facility. Nonetheless, having a generator on hand will ensure we have one available during emergencies and that it is operational.

3. The Golf Course Irrigation project

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This project is slated for FY 2016-2017 at a cost of \$760,000. Council asked that Staff produce the numbers of when the results of this project will pay for itself as well as the cost for replacing the greens.

Staff's response

The Golf Course budgets \$210,000 for the Northwest Houston Water District in order to pay subsidence and water fees associated with watering the grass at a rate of \$4 / 1000 gallons. Accordingly, a budget of \$210,000 will provide 52,500,000 gallons of water usage. The irrigation project seeks to utilize the water discharged from the Castlebridge Waste Water Treatment Plant, which average 300,000 gallons per day or 108,000,000 gallons per year. Given these figures, and because watering the course is not consistent (i.e. water more in hot weather), Staff estimates that the irrigation project would satisfy 70% of the golf course water needs for a savings at today's rate of \$134,400 per year. Therefore, the payback on the project, using an estimated cost of \$760,000, would result in a payback in about 5.6 years. This number is conservative in that the electric savings and the other reduced maintenance expenses have not been taken into account.

Council engaged in discussion about renting versus buying a generator for the water treatment plant. Given emergency situations and the limited number of staff, the consensus was that purchasing the generator would better suit the city's needs.

Council also discussed the Golf Course Irrigation Project. The City currently uses ground water to irrigate the Golf Course, resulting in high subsidence fees. TCEQ discourages the use of ground water. The cost to replace one of the greens at the Golf Course is about \$40,000.

Council discussed the estimate made by Staff that the irrigation project would satisfy 70% of the golf course water needs for a savings at today's rate of \$134,400 per year. The payoff will be in 5.6 years.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve the City of Jersey Village 2016-2017 budget revisions, which include the supplemental for radio maintenance service authorized by City Council in June 2016, in a 6-year agreement with Motorola for the service and repair of our current radio system, the amount for the Police Department portion is \$8,000 that will be reimbursed by the Jersey Village Crime Control. The supplemental for recycling program in which staff previously presented City Council a supplemental in the amount of \$2,068, unfortunately in this supplemental the additional homes of the Enclave subdivision were not included and the amount used were calculated using figures from a previous vendor. The current recycling collection rate is \$3.50 per household, per month. The amount of the revised supplemental is \$22,000. In addition, a supplemental in the amount of \$40,000 for Consultant Services in order to enter into a contract with a recruitment firm to assist in

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the search for a City Manager. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

4. Consider Resolution No. 2016-33, 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 2016-2017 ad valorem tax rate.

Isabel Kato, Finance Director, introduced the item. She told City Council 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 2016-2017, as that will be accomplished during the October 17, 2016 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 no discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2016-33, 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 2016-2017 ad valorem tax rate. Council Member Sheppard seconded the motion. The record vote follows:

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

The motion carried:

RESOLUTION NO. 2016-33

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 2016-2017 AD VALOREM TAX RATE.

- 5. Consider Ordinance No. 2016-24, amending the General Fund Budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016 by increasing line item 01-33-4002 (maintenance – insured repairs) in the amount not to exceed \$38,500 to cover cost associated with the repair of the public work’s maintenance facility on Taylor Road due to the flooding on April 18, 2016.**

Kimberly Terrell, Director of Parks and Recreation, introduced the item. She told City Council the Public Works Maintenance building on Taylor Rd. was impacted by the rain event on April 18, 2016. Water from the flood reached twelve to eighteen inches throughout the facility which caused damage to walls, sheetrock and cabinets. The paperwork for the insurance claim has been filed with the City’s insurance provider, TML. However, in order to begin work, the City must enter into a contract which requires allocating the appropriate funding.

She is respectfully requesting the approval of this Ordinance in order to increase line item 01-33-4002 (Maintenance – Insured Repairs) by \$38,500. The amount is based on a proposal by Brown & Root for building repairs with additional air quality investigations by Envirotest. The additional funding will allow the City to enter into a contract for these services.

With no discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2016-24, amending the General Fund Budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016 by increasing line item 01-33-4002 (maintenance – insured repairs) in the amount not to exceed \$38,500 to cover cost associated with the repair of the public work’s maintenance facility on Taylor Road due to the flooding on April 18, 2016. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

ORDINANCE NO. 2016-24

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 01-33-4002 (MAINTENANCE – INSURED REPAIRS) IN THE AMOUNT NOT TO EXCEED \$38,500 TO COVER COST ASSOCIATED WITH THE REPAIR OF THE PUBLIC WORKS MAINTENANCE FACILITY ON TAYLOR ROAD DUE TO THE FLOODING ON APRIL 18, 2016.

6. Consider Resolution No. 2016-34, authorizing the City Manager to enter into a contract to repair the Taylor Road Public Works Facility.

Kimberly Terrell, Director of Parks and Recreation, introduced the item. She told City Council the Public Works Facility on Taylor Road was damaged during the flood event on April 18, 2016. It received approximately one foot of water causing damage to the walls and sheetrock and requires repair. A proposal to make the repairs was received from Industrial Roofing & Insulation proposal, dated July 12, 2016. The proposal includes removal and replacement of walls and cabinets that were damaged as well as painting the finished product. This item is to authorize the City Manager to enter into a contract for the repairs.

With no discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2016-34, authorizing the City Manager to enter into a contract to repair the Taylor Road Public Works Facility. 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. 2016-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BROWN & ROOT FOR THE REPAIR OF THE PUBLIC WORKS MAINTENANCE FACILITY ON TAYLOR ROAD.

7. Consider Resolution No. 2016-35, receiving the Planning and Zoning Commission's Final Report as it relates to the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas.

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Debra Mergel, Chairman of the Planning and Zoning Commission, introduced the item. In presenting the final report of the Planning and Zoning Commission to City Council, she told Council that the Commission found that using the subject property for motor vehicle sales is not an appropriate use; and the request to amend the Motor Vehicle Sales Overlay District does not meet the intent of the Motor Vehicle Sales Overlay District Ordinance which was to promote the general welfare, to conserve property values, and to promote the most appropriate use of land in the city.

Accordingly, the Planning and Zoning Commission unanimously recommends that City Council disapprove the proposal to amend Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, to authorize a revision of the boundaries of the motor vehicle sales overlay district to include the property located at 17100 Northwest Freeway, Jersey Village, Harris County, Texas.

With limited discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2016-35, receiving the Planning and Zoning Commission's Final Report as it relates to the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas. 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. 2016-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT AS IT RELATES TO THE PETITION (APPLICATION) FROM GARY CAMPBELL AS REPRESENTATIVE OF PROPERTY OWNERS PAMELA PAPPAS MATTINGLY AND MERSINA PAPPAS STUBBS TO AMEND THE BOUNDARIES OF THE MOTOR VEHICLE SALES OVERLAY DISTRICT TO INCLUDE THE PROPERTY COMMONLY KNOWN AS 17100 NORTHWEST FREEWAY, JERSEY VILLAGE, HARRIS COUNTY, TEXAS.

I. CLOSE THE REGULAR SESSION

Mayor Ray closed the Regular Session at 8:34 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071– Consult with Attorney and Government Code Section 551.074 – Personnel Matters.

J. EXECUTIVE SESSION

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1. **Pursuant to the Texas Open Meetings Act Section 551.071 – Consultation with Attorney, conduct an Executive Session in order to consult with the City Attorney regarding pending or contemplated litigation in the matter related to the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas. *City Attorney, Leah Hayes***
2. **Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment and employment of a City Manager. *City Council***

K. ADJOURN EXECUTIVE SESSION

Mayor Ray adjourned the Executive Session at 10:02 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

L. REGULAR SESSION CONTINUED

1. **Discuss and take appropriate action on matters discussed in Executive Session regarding the appointment and employment of a City Manager.**

No action was taken on this item.

2. **Consider Ordinance No. 2016-25, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, Development Code, by authorizing revision of the official zoning map as set out in Section 14-82 to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

Kevin T. Hagerich, Director of Public Works, stated that this item is to consider amending the Code of Ordinances to include the property located at 17100 in the Motor Vehicle Sales Overlay District.

Before voting on the approval of the Ordinance, each Council Member thanked Planning and Zoning for their work on this issue. It was the consensus of Council that the Ordinance should be granted. Several reasons for same were stated including the following:

1. Given the location, size and shape of this property, a car dealership is the highest and best use for the property;
2. There are other permitted uses in District F that would not be as desirable as a car dealership for this location;
3. A car dealership would generate considerable tax revenue for the city;

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4. The parcel in question has development challenges and is best suited for a car dealership; and
5. A car dealership offers the correct balance between economic development and outward appearance.

With no further discussion on the matter, Council Member Holden moved to approve Ordinance No. 2016-25, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, Development Code, by authorizing revision of the official zoning map as set out in Section 14-82 to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway; containing other findings and provisions relating to the subject; 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 Harper seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2016-25

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, DEVELOPMENT CODE, BY AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP AS SET OUT IN SECTION 14-82 TO AMEND THE BOUNDARIES OF THE MOTOR VEHICLE SALES OVERLAY DISTRICT TO INCLUDE THE PROPERTY LOCATED IN BASE ZONING DISTRICT “F” AT 17100 NORTHWEST FREEWAY; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

M. 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;

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- 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 invited all to attend the charity golf tournament and blood drive this Friday at the Golf Course.

Council Member Sheppard: Council Member Sheppard thanked Mike Castro for his service to Jersey Village and wished him the best of luck with the City of Murphy. She reminded all of the Ice Cream Social on August 28.

Council Member Mitcham: Council Member Mitcham also thanked Mike Castro for his service and wished him good luck in his new position. He thanked the Planning and Zoning Commission for their hard work.

Council Member Holden: Council Member Holden thanked Mike Castro for his years of service and stated that Jersey Village is a better place because of him. He told Mr. Castro that he leaves a strong legacy and he wished him the best of luck in his new position.

Council Member Harper: Council Member Harper also thanked Mike Castro for his service.

Mayor Ray: Mayor Ray also thanked Mike Castro for his many years of service to the City. He thanked City Council, the Planning and Zoning Commission, and City Staff for their hard work. He acknowledged Jim Gray who will serve as City Manager.

N. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:17 p.m.

Lorri Coody, City Secretary