

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 17, 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 7:03 p.m. with the following present:

Mayor, Justin Ray

Council Member, Andrew Mitcham

Council Member, Greg Holden

Council Member, C. J. Harper

Council Member, Sheri Sheppard

Council Member, Gary Wubbenhorst

City Manager, Jim Gray

City Secretary, Lorri Coody

City Attorney, Leah Hayes

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 Third Quarter Award – by Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.**

Stephanie Otto, Commander of the Jeremy E. Ray American Legion Post #324, along with Mayor Ray, presented the Police Department Employee of the Third Quarter award to Debra A. Smith, the Police Department's Records Coordinator.

D. BUDGET ITEMS

- 1. Discuss and consider approval of a motion to set the tax rate for debt service for tax year 2016.**

Council Member Mitcham moved to approve setting the Debt Service tax rate of \$.211021 per \$100 value for the year 2016. Council Member Wubbenhorst seconded the motion. The vote follows:

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

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 2016.**

Council Member Wubbenhorst moved to approve setting the Maintenance and Operation tax rate of \$.531479 per \$100 value for the year 2016. Council Member Holden seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

3. Consider Ordinance No. 2016-28, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2016.

With no discussion on the item, Council Member Sheppard moved to approve Ordinance No. 2016-28, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2016; 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 decreased by the adoption of a tax rate of .7425, which is effectively a 3.33 percent decrease in the tax rate. Council Member Mitcham seconded the motion. The record vote follows:

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

Mayor Ray, although present, did not vote.

The motion carried.

ORDINANCE NO. 2016-28

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE YEAR 2016; 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.

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.

James Fields, 16413 Saint Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to City Council about code enforcement. He thanked the Public Works Department for answering his questions about code requirements for a “box-car” type vehicle that is being parked on City streets. He told City Council that our current code does not restrict the parking of these type vehicles on City Streets. Accordingly, he would like City Council to consider amending the code to provide for the restriction of parking these “box-car” type vehicles on City streets.

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Laurel Calkins, 16001 Wall Street, Jersey Village, Texas (713) 466-1122 – Ms. Calkins spoke to City Council about the increased number of solicitors in the neighborhoods since the April 18 Flood Event. She told Council that she does not want the solicitors and would like our solicitor ordinance enforced. Ms. Calkins also asked that City Council remain diligent in its efforts to resolve flooding issues in the City.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 553-8625 – Mr. Maloy reminded City Council that during the September 19, 2016 City Council Meeting he posed several questions concerning the 2016-2017 budget for the City's Golf Course. He wanted to know the amount of dollars proposed for golf course expenditures that will not come from golf course profits. He also posed several questions to City Council concerning golf course debt service expenditures and operating costs. He told City Council that to date, he has not received a response to his questions from City staff or from City Council. He stated that he would like answers to his questions.

F. CITY MANAGER'S REPORT

City Manager, Jim Gray gave his report as follows:

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – August 2016, Quarterly Investment Report – September 2016, and Budget Projections as of September 2016.**
- 2. 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**
- 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 Construction and Field Projects 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 September 19, 2016 and the Special Session Meeting held on October 12, 2016.**

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- 2. Consider Resolution No. 2016-48, appointing Dr. Walter Lee as Health Officer for the City of Jersey Village.**

RESOLUTION NO. 2016-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING CITY HEALTH OFFICER.

- 3. Consider Ordinance No. 2016-29, amending the Asset Forfeiture Fund Budget of the city for the fiscal year beginning October 1, 2016, and ending September 30, 2017, authorizing the purchase of 10 GPS units for patrol vehicles from Logitrac as permitted by Chapter 59 of the Code of Criminal Procedure; and providing for severability.**

ORDINANCE NO. 2016-29

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE ASSET FORFEITURE FUND BUDGET OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, AUTHORIZING THE PURCHASE OF 10 GPS UNITS FOR PATROL VEHICLES FROM LOGITRAC AS PERMITTED BY CHAPTER 59 OF THE CODE OF CRIMINAL PROCEDURE; AND PROVIDING FOR SEVERABILITY.

Council Member Harper 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. Receive the Golf Course Advisory Committee Report.**

Kimberly Terrell, Director of Parks and Recreation, introduced Golf Course Advisory Member, James Sappington to give the report. Mr. Sappington told City Council that the Golf Advisory Committee has met several times since the beginning of the year with the next meeting taking place in November. Mr. Sappington explained the following items which have been discussed by the Committee during their meetings:

- Supplemental projects and their status;
- Supplemental requests with staff for 2016/17, to include tee box leveling and renovation of remaining bunkers; and
- Condition of greens and drainage issues.

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City Council engaged in discussion about the condition of the greens and what is being done to control the weeds. Parks and Recreation Director, Kimberly Terrell, explained what has been done and will be done in connection with this issue.

2. Discuss and take appropriate action regarding a status update on the Long-Term Flood Recovery Study.

Kevin T. Hagerich, Director of Public Works, gave the update concerning the following actions:

- The contract was modified to reflect a reduction of some \$46,000 in public information dollars before it was signed.
- Surveyors are on site – estimated time 6 weeks.
- Kick-off meeting and sight visit was held September 28, 2016.
- 1st Bi-Weekly Meeting was October 4, 2016.
- Notices for the 1st public meeting on October 18 have been posted on web site, on the marquees, in water bills, separate mail-outs, right-of-way signs posted, and 420 electronic emails sent via Constant Contact.
- Update and “dry run” for the 1st Public Meeting was had on October 13, 2016.
- The flood website has been established through the following link: JVfloodRecovery@crouchenvironmental.com. As of 4 pm today, 23 surveys have been received via this median.
- As of 4 pm today, 37 hard copy surveys have been received at city hall and will be provided to the consultant tomorrow during our bi-weekly meeting.

In completing the update, City Council briefly discussed citizen input for the October 18 meeting. Specifically, there was concern for the citizen formed flood group and their collected information. City Manager Gray explained that all residents will be given time for comment during the public meeting and the group is encouraged to bring their information for the consultants.

3. Consider Resolution No. 2016-49, designating a city representative and an alternate representative to the Houston-Galveston Area Council’s 2017 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 2017 General Assembly.

Former Council Member Tom Eustace was the designated representative and Councilmember Andrew Mitcham was the designated alternate representative for the Houston Galveston Area Council 2016 General Assembly.

This item is to designate a city representative and alternate representative to the Houston Galveston Area Council 2017 General Assembly.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2016-49, designating Council Member, Gary Wubbenhorst as the representative and Council Member, Andrew Mitcham as the alternate representative to

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the Houston-Galveston Area Council's 2017 General Assembly. 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. 2016-49

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 2017 GENERAL ASSEMBLY.

I. CLOSE THE REGULAR SESSION

Mayor Ray closed the Regular Session at 7:35 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.074 – Personnel Matters and Section 551.071– Consult with Attorney.

J. EXECUTIVE SESSION

- 1. Pursuant to the Texas Open Meetings Act Section 551.074 – Personnel Matters, conduct an Executive Session in order to deliberate the recruitment, appointment, and employment of a City Manager. *City Council***
- 2. Pursuant to the Texas Open Meetings Act Section 551.071 – Consult with Attorney regarding the Right of Entry Agreement for the Joe Myers Ford property as it relates to US 290 Soundwall construction. *City Attorney, Leah Hayes***

K. ADJOURN EXECUTIVE SESSION

Mayor Ray adjourned the Executive Session at 8:30 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 matter discussed in Executive Session regarding the recruitment, appointment, and employment of a City Manager.**

With no discussion on the matter, Council Member Sheppard moved that the draft recruitment brochure reviewed in Executive Session be approved with the changes discussed. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

- 2. Discuss and take appropriate action on matters discussed in Executive Session regarding the Right of Entry Agreement for the Joe Myers Ford property as it relates to US 290 Soundwall construction.**

No discussion or action was had on this item.

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

Council Member Wubbenhorst: Council Member Wubbenhorst had no comments.

Council Member Sheppard: Council Member Sheppard had no comments.

Council Member Mitcham: Council Member Mitcham had no comments.

Council Member Holden: Council Member Holden had no comments.

Council Member Harper: Council Member Harper had no comments.

Mayor Ray: Mayor Ray had no comments.

N. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:32 p.m.

Lorri Coody, City Secretary