

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 15, 2019 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, Austin Bless
Council Member, Andrew Mitcham	City Secretary, Lorri Coody
Council Member, Greg Holden	City Attorney, Scott Bounds
Council Member, Bobby Warren	
Council Member, James Singleton	
Council Member, Gary Wubbenhorst	

Staff in attendance: Eric Foerster, Chief of Police; Mark Bitz, Fire Chief; Isabel Kato, Finance Director; Kevin Hagerich, Director of Public Works, and Jason Alfaro, 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. PRESENTATION

- 1. Presentation of Police Department Employee of the First 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 First Quarter award to Officer Dusty Bryant.

D. SUBSTANDARD STRUCTURE – PUBLIC HEARING AND RELATED ITEM

- 1. Conduct a Public Hearing pursuant to Section 34-253 of the Code, so that the owner or the owner’s representatives for the property located at 15421 Leeds Lane, Jersey Village, Texas may appear and show cause 1) why such buildings or structures should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the buildings or structures.**

Mayor Ray called upon Building Official, Christian Somers to give a presentation regarding this item. Mr. Somers’ presentation included information about the following topics:

1. Fire damaged structure with pictures;
2. Overview of the Building Official’s duty in connection with a substandard structure;
3. Remodel work is not an option;
4. Demolition is the only option;
5. Overview of activity since the fire in October 2018;
6. Roofing;

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

7. Examples of load path with pictures;
8. Detail of rafters;
9. Detail and pictures of bracing;
10. Floors and ceilings;
11. Examples and pictures of joists;
12. Cladding with pictures;
13. Local Government Code, Title 7, Chapter 214; and
14. Relative City Code of Ordinances.

In completing his presentation, Council asked: Should the building be demolished to which Building Official Somers responded YES.

Brandon Hakori the Attorney for Amerihome Mortgage Company was present. He told Council that the mortgage company does not have access to the property because the insurance claim on the property is still being processed and the insurance company has not completed its investigation.

Owner Lemadre Miller was present. He told City Council that an insurance claim has been filed but is not complete. He stated that he has been in contact with the Texas Department of Insurance and that he has an Attorney representing him concerning the insurance claim and the Insurance Company's failure to resolve the claim. He told City Council that he believes that the home needs to be demolished. However, he would like to hold off on moving forward at this time until the Insurance Company has made its findings. He told City Council that should the Insurance Company pay, those monies would be used to demolish the home. If they do not pay, he will pay to demolish the home.

Mr. Miller went on to explain that he has a meeting on April 22, 2019 at 5:00 p.m. with an attorney in connection with the insurance issue. He told City Council that there is an arson claim in connection with the fire. After this meeting, he told City Council that the Texas Department of Insurance has told him that the insurance company has 30 days to complete its investigation.

Mr. Miller told City Council that he did put up fencing on the property to secure it.

City Council asked Fire Chief Bitz if he had completed his investigation of the fire and if there is any need to collect further information. Chief Bitz stated that his investigation was completed the day of the fire. He went on to say that if the insurance company is still collecting evidence it would not be worthy at this point given the amount of time that has passed since the fire.

Council discussed the realistic time line for the demolition. City Attorney Bounds told the Council that they must give at least 30 days' notice of the demolition, but a longer period can be approved. If the City initiates the demolition, it does not have to be done by competitive bid. An informal bidding process is acceptable since it will be less than \$50,000. Mr. Miller told the Council that he has a demolition proposal for \$27,000. With

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

this information in mind, the City Attorney told Council that in addition to this amount, the City could expect to pay about 10% more since it will require a bond and insurance. If the City proceeds with the demolition, the City will place a lien on the property.

Some members on Council wondered if the City pays to demolish the property will the insurance company get out of paying it obligatory amount. Owner Miller stated that he believes that should the City pay, the insurance company will not pay.

Council was concerned about securing the property and protecting the community from harm. In conjunction with securing the property, Council also discussed the on-going investigation and how this would be handled in conjunction with the demolition process. However, at the end of the day, the overall concern centered on the structure not being secured and being unsafe.

Council also wondered if the City begins the demolition process, does that preclude the owner from demolishing the property before the City. City Attorney Bounds told the Council that it would not preclude the owner from demolishing the property.

Attorney Hakeri told Council that the foreclosure sale scheduled for this property was postponed pending the outcome of the insurance company's investigation.

With no further discussions with the Owner and the Attorney for the mortgage company, Mayor Ray call to order this public hearing at 7:29 p.m. stating that he purpose of the hearing is to provide for the owner or the owner's representatives of the property located at 15421 Leeds Lane in Jersey Village, Texas to appear and show cause 1) why such buildings or structures should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the buildings or structures. The burden is on the owner, lienholder, or mortgagee to demonstrate the scope of the work required to comply with the ordinance and the time it will take to perform the work.

With no one desiring to speak at this hearing, Mayor Ray closed the public hearing being held to provide for the owner or the owner's representatives of the property located at 15421 Leeds Lane in Jersey Village, Texas to appear and show cause 1) why such buildings or structures should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the buildings or structures at 7:30 p.m.

Mayor Ray than asked Owner Miller and Attorney Bryant if they had any closing remarks. Hearing none, Mayor Ray called the next item on the agenda as follows:

- 2. Consider Ordinance No. 2019-08, finding the structures at 15421 Leeds Lane, Jersey Village, Texas 77040, (Lot 1, Block 49, Jersey Village), the "Property", to be substandard and a public nuisance; ordering Ashleigh Nichole Howard or the true owners of the property to abate the substandard and dangerous structures on the property; authorizing the City to demolish the structures on the property if owner fails to abate the substandard and dangerous structures on the property; authorizing**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

the City to assess a lien against the property for the costs of the demolition; and making other findings and provisions related thereto.

Christian Somers, Building Official, explained the fencing issues that were had with the owner's actions to secure the property. Council discussed the process of securing the property. City Attorney Bounds stated that it is the owner's responsibility to secure the property.

Attorney Bounds then reviewed the proposed Ordinance with the Council, stating that Section 2 provides for the mandatory 30 days, Section 3a is only needed should Council desire to extend the 30 days. If no extension is desired, Section 3a is deleted and Section 3b becomes Section 3a.

The Ordinance elements and time frames were discussed with City Attorney Bounds answering and explaining the various options.

Council discussed setting Section 3a at 72 hours. If after 72 hours the building is not secured then it reverts back to a demolition in 30 days from April 15. If the building is secured, an additional 15 days will be added to the deadline for demolition which would be 45 days from April 15.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2019-08, with the revisions discussed concerning Section 3a, finding the structures at 15421 Leeds Lane, Jersey Village, Texas 77040, (Lot 1, Block 49, Jersey Village), the "Property", to be substandard and a public nuisance; ordering Ashleigh Nichole Howard or the true owners of the property to abate the substandard and dangerous structures on the property; authorizing the City to demolish the structures on the property if owner fails to abate the substandard and dangerous structures on the property; authorizing the City to assess a lien against the property for the costs of the demolition; and making other findings and provisions related thereto. Council Member Singleton seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, FINDING THE STRUCTURES AT 15421 LEEDS LANE, JERSEY VILLAGE, TEXAS 77040, (LOT 1, BLOCK 49, JERSEY VILLAGE), THE "PROPERTY", TO BE SUBSTANDARD AND A PUBLIC NUISANCE; ORDERING ASHLEIGH NICHOLE HOWARD OR THE TRUE OWNERS OF THE PROPERTY TO ABATE THE SUBSTANDARD AND DANGEROUS STRUCTURES ON THE PROPERTY; AUTHORIZING THE CITY TO DEMOLISH THE STRUCTURES ON THE PROPERTY IF OWNER FAILS TO ABATE

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

THE SUBSTANDARD AND DANGEROUS STRUCTURES ON THE PROPERTY;
AUTHORIZING THE CITY TO ASSESS A LIEN AGAINST THE PROPERTY FOR
THE COSTS OF THE DEMOLITION; AND MAKING OTHER FINDINGS AND
PROVISIONS RELATED THERETO.

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 comment 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 comments to the City Council.

Gary Hopkins, 15314 Mauna Loa Lane, Jersey Village, Texas (713) 937-1391 – Mr. Hopkins was called but did not appear to speak.

Merrilee Beazley, 14910 Lakeview Drive, Jersey Village, Texas (346) 332-6074 – Ms. Beazley asked Staff for assistance in distributing materials to City Council concerning the upcoming election before making her comments. Ms. Beazley then told Council that she is running for City Council on the May 4, 2019 ballot. She explained why she is running for Council Member Place 2.

In completing her comments, Council Member Warren stated that he felt it was inappropriate for Ms. Beazley to ask Staff to distribute her campaign literature.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430: Mr. Maloy spoke to City Council about the homestead tax exemption and the over 65 tax exemption. These two exemptions are currently at 8% and \$50,000 respectively. He would like to see Council consider changing these exemption amounts. In connection with same, Mr. Maloy gave examples of different values these exemptions could generate in savings for the residents should Council consider changing these amounts. Mr. Maloy also spoke about the bond election had several years ago for a City Hall and renovations to the Fire Department. He closed by stating that the residents should be able to make decisions concerning large expenditures.

Barbi Freeman, 15501 Jersey Drive, Jersey Village, Texas (713) 466-6903: Ms. Freeman pays tribute to Joyce Berube who passed away last week. She told Council that we owe a great deal of gratitude for all she has done for the City of Jersey Village. Joyce served on several Boards and Commissions, on City Council and was Mayor Pro-tem. The love of her life was the City. She loved Jersey Village.

F. CITY MANAGER'S REPORT

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – February 2019, General Fund Budget**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

Projections as of March 2019, Utility Fund Budget Projections – March 2019, and Quarterly Investment Report – March 2019.

- 2. Open Records Requests – Non-Police**
- 3. Fire Departmental Report and Communication Division’s Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Staffing/Recruitment 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 Budget Summary; Golf Course Social Media Summary Report, and Parks and Recreation Departmental Report**
- 8. Report from Code Enforcement**
- 9. City Social Media Summary Report**

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 Special Session Meeting held on March 15, 2019, and the Regular Session Meeting held on March 18, 2019.**
- 2. Consider Resolution No. 2019-13, authorizing the City Manager to enter into a contract with Microsoft Corporation to renew the three-year Software Enterprise Agreement.**

Council Member Mitcham moved to approve items 1 and 2 on the consent agenda. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

H. REGULAR SESSION

- 1. Consider Resolution No. 2019-14, suspending the May 27, 2019 effective date of the proposal by CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston Division to implement interim grip rate adjustments for gas utility investment in 2018 and requiring delivery of this resolution to the company and legal counsel.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

Austin Bless, City Manager, introduced the item. Background information is as follows: On March 28, 2019 CenterPoint Gas made Interim Rate Adjustment or “GRIP” filings with the Cities in their Houston Division. The Company is seeking recovery of \$99,461,495 in invested capital. Last year the increase was \$112,238,512. The current filing will increase rates to residential customers by \$.58 per month. This will increase the current residential customer charge from \$15.93 to \$16.51 per month.

Increases are currently scheduled to go into effect on May 27.

Under the GRIP statute cities may not challenge the Company’s request. The only action you may take is to suspend the effective date of the rate increase by 45 days. The proposed Resolution, if adopted, will suspend the rate increase that would otherwise go into effect on May 27, 2019 for 45 days.

With limited discussion on the matter, Council Member Warren moved to approve Resolution No. 2019-14, suspending the May 27, 2019 effective date of the proposal by CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston Division to implement interim grip rate adjustments for gas utility investment in 2018 and requiring delivery of this resolution to the company and legal counsel. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2019-14

A RESOLUTION BY THE CITY OF JERSEY VILLAGE, TEXAS SUSPENDING THE MAY 27, 2019 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – HOUSTON DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2018 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

- 2. Consider Resolution No. 2019-15, suspending the May 10, 2019 effective date of CenterPoint Energy Houston Electric, LLC’s requested rate change to permit the City time to study the request and to establish reasonable rates; approving continued cooperation with the Golf Coast Coalition of Cities; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities’ rate case expenses; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

Austin Bless, City Manager, introduced the item. Background information is as follows: CenterPoint Energy Houston Electric, LLC filed an application on April 5, 2019 to increase system-wide transmission and distribution rates by \$161 million per year. The Company asks to approve an increase in \$154 million in retail transmission and distribution rates (an increase of about 7.4%) and \$6.8 million in wholesale transmission rates (an increase of about 1.8%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$2.38 per month.

This resolution suspends the May 10, 2019 effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with other members of GCCC served by CenterPoint, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, CenterPoint's rate request is deemed approved.

With limited discussion on the matter, Council Member Warren moved to approve Resolution No. 2019-15, suspending the May 10, 2019 effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the City time to study the request and to establish reasonable rates; approving continued cooperation with the Gulf Coast Coalition of Cities; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. Council Member Gary seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2019-15

RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, SUSPENDING THE MAY 10, 2019 EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING CONTINUED COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

- 3. Consider Resolution No. 2019-16, approving the Assignment of the Purchase Option of approximately 10.56 acres of land Southeast of US 290 on either side of Jones Road in Jersey Village, Texas, to Collaborate Special Projects LLC; and authorizing the City Manager to take all appropriate and necessary steps to complete the assignment.**

Austin Bleess, City Manager, introduced the item. Background information is as follows: Tonight the Council can take another step forward in the development of Village Center. In July 2018 the city entered into a Settlement Agreement with Jones Road Project LTD, which included a purchase option for the property on Jones Road, identified on the plat map as Restricted Reserve "D" and "E" of Jones Rd. 290 Commercial Reserves.

As part of the Chapter 380 Agreement the city entered into with Collaborate Special Projects LLC in March, the city needs to assign our purchase option of the property to them. As such Collaborate will be purchasing the property, and the city will not. If for some reason Collaborate Special Projects does not complete the purchase of the property, the city would have the right to do so before the timelines in the purchase agreement expire.

This Resolution authorizes the assignment of the Purchase Option, and authorizes the City Manager to take all appropriate and necessary steps to complete the assignment.

With limited discussion on the matter, Council Member Wubbenhorst moved to approve Resolution No. 2019-16, approving the Assignment of the Purchase Option of approximately 10.56 acres of land Southeast of US 290 on either side of Jones Road in Jersey Village, Texas, to Collaborate Special Projects LLC; and authorizing the City Manager to take all appropriate and necessary steps to complete the assignment. Council Member Singleton seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2019-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE ASSIGNMENT OF THE PURCHASE OPTION OF APPROXIMATELY 10.56 ACRES OF LAND SOUTHEAST OF US 290 ON EITHER SIDE OF JONES ROAD IN JERSEY VILLAGE, TEXAS, TO COLLABORATE SPECIAL PROJECTS LLC; AND AUTHORIZING THE CITY MANAGER TO TAKE ALL APPROPRIATE AND NECESSARY STEPS TO COMPLETE THE ASSIGNMENT.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

4. Consider Resolution No. 2019-17, authorizing the City Manager to execute an Agreement with Collaborate Architects LLC for architectural and engineering services for Jersey Village City Hall located in the Village Center Development.

Austin Bless, City Manager, introduced the item. Background information is as follows: With the announcement of the Village Center Development a new City Hall is proposed in the development. By putting City Hall there we can offer a lot of savings to the tax payer and synergy for the development.

They estimate this new City Hall to be approximately 28,800 square feet in size at a construction cost of \$5,184,000. That does not include Furniture, Fixtures, and Equipment. A facility of this size will allow for some future growth that may be necessary over the next 50 years. It is important to note that the new city hall will house more than what we have today, and it will also serve the community for the next 50 years and beyond.

The proposal for Architectural and Engineering Services for Jersey Village City Hall located in the Village Center Development is on the following pages. The proposed services include pre-design services, schematic design phase, design development phase, construction documents, assistance with permitting, putting the work out to bid, construction administration, Furniture, Fixtures, and Equipment (FF&E) Services, and Project Management Services.

For this fiscal year we have budgeted \$450,000 for the design services. For the next two fiscal years we have earmarked \$8,000,000 for the construction of the building, for a total project budget of \$8,450,000.

We have the proposal before the Council tonight and the architects are ready to get started on the design quickly.

Council discussed the residents' desires in connection with this development and the placement of City Hall as a main piece of the development. In their interactions with residents, 80% were in favor of placing City Hall within Village Center, especially once they understood that such a placement supports the development. It was also mentioned that the cost to construct City Hall as part of the development would be less because of economies of scale. The City Hall will be a focal point of the development and a great place for residents.

With no further discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2019-17, authorizing the City Manager to execute an Agreement with Collaborate Architects LLC for architectural and engineering services for Jersey Village City Hall located in the Village Center Development. Council Member Warren seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

Nays: None

The motion carried.

RESOLUTION NO. 2019-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH COLLABORATE ARCHITECTS LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR JERSEY VILLAGE CITY HALL LOCATED IN THE VILLAGE CENTER DEVELOPMENT.

- 5. Consider Ordinance No. 2019-09, adopting a Water Conservation Plan for the City of Jersey Village; amending the Code of Ordinances of the City of Jersey Village, Chapter 70, Utilities, by amending Article VI., *Water Conservation Plan*; providing a severability clause; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

Kevin Hagerich, Director of Public Work, introduced the item. Background information is as follows: Since 2014 the City has been required by the Texas Water Development Board (TWDB) to have a Water Conservation Plan, as we have more than 3,300 meter connections. That plan must be updated every 5 years.

The Texas Water Code requires retail public water suppliers with more than 3,300 connections to:

1. Conduct and submit a water loss audit annually
2. Report annually to the TWDB on the process in implementing their current water conservation plan
3. Develop and submit an updated water conservation plan to the TWDB every five years.

The water audit addresses four main points of water loss; loss from distribution lines, inaccuracies in meters, deficiencies in accounting practices, and theft of service.

The Utility Profile provides information related to the City of Jersey Villages historical usage, as well as current residential and commercial usage.

The Public Works Department has also created a Water Conservation Plan. The plan identifies conservation goals, best management practices and water conservation methods that the city will target over a five to ten year period. City staff will identify cost associated with the program and address them accordingly within its capital improvement plan.

Currently, the public works department has completed the annual water loss audit, utility profile report, water conservation plan, and submitted completed reports before the May 1, 2019 deadline for review.

This agenda item is to adopt the Water Conservation Plan, and amend the Code of Ordinances to set forth the rules and regulations of the plan.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

With limited discussion on the matter, Council Member Mitcham moved to approve Ordinance No. 2019-09, adopting a Water Conservation Plan for the City of Jersey Village; amending the Code of Ordinances of the City of Jersey Village, Chapter 70, Utilities, by amending Article VI., *Water Conservation Plan*; providing a severability clause; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date. Council Member Warren seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2019-09

AN ORDINANCE ADOPTING A WATER CONSERVATION PLAN FOR THE CITY OF JERSEY VILLAGE; AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, CHAPTER 70, UTILITIES, BY AMENDING ARTICLE VI., *WATER CONSERVATION PLAN*; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

6. Consider Resolution No. 2019-18, appointing a member to the Board of Adjustment to fill the unexpired term for Place A2.

Lorri Coody, City Secretary, introduced the item. Background information is as follows: The Board of Adjustment is created by Sec. 14-22(a) which states:

There shall be a board of adjustment consisting of five voting members and two alternates. Members shall be appointed by the mayor with approval of council during the month of October. Each member shall be a resident of the city. The members of the board shall be identified by place numbers (1) through (5) and alternates (1) and (2). Places (1), (2) and (3) and alternate (1) shall be appointed initially for a term no greater than one year; places (4) and (5) and alternate (2) shall be initially appointed for a term no greater than two years. Thereafter, all members shall be appointed for a term of two years. Should a vacancy occur, the mayor, with approval of the council, shall appoint a person to complete the unexpired term of the position.

As you know, Joyce Berube, a member of this Board, passed away on April 8, 2019. She served in Place A2. The term of office for Place A2 began on October 1, 2018 and will expire on September 30, 2020. She had served on this Board since October of 2018.

In order to prepare for this item the following actions were taken to inform residents of this opening and extend invitation for consideration of applications:

1. A notice was placed on the City's website
2. A notice was placed on the City's Facebook Page

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

The applications of qualified candidates are attached for Council's review.

With limited discussion on the matter, Council Member Singleton moved to Resolution No. 2019-18, appointing Nestor Mena to the Board of Adjustment to fill the unexpired term for Place A2. Council Member Warren seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2019-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING A MEMBER TO THE BOARD OF ADJUSTMENT TO FILL THE UNEXPIRED TERM FOR PLACE A2.

I. 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 expressed his sympathy for the Berube family. He is thankful for all that Joyce Berube did for the City of Jersey Village. She was a model citizen.

Council Member Singleton: Council Member Singleton also expressed his sympathy for the Berube family. Joyce was the face of Jersey Village. He expressed his respect for all that Joyce has done for the City. Her memorial service will be conducted on May 11, 2019 at Saint Maximilian's Catholic Church.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – APRIL 15, 2019

Council Member Mitcham: Council Member Mitcham also expressed his sympathy for the Berube family. Joyce’s optimism was contagious. She loved Jersey Village and left the City a better place.

Council Member Holden: Council Member Holden also expressed his sympathy for the Berube family. Joyce served many years on the Jersey Village Council. Her hard work for Jersey Village will be missed.

Council Member Warren: Council Member Warren remembered Joyce Berube by sharing a story about Joyce and her love of people. Joyce Berube had a joy for Jersey Village.

Mayor Ray: Mayor Ray remembered Joyce Berube and her support. He is thankful for her mentorship. She supported him early on in his membership on City Council. Joyce did a great job representing Jersey Village. She was service minded. Thank you Joyce for all that you have done for this City.

J. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:25 p.m.



Lorri Coody, City Secretary