

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MAY 13, 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; Jason Alfaro, Director of Parks and Recreation; and Trelena Collins, Human Resource Manager.

**A. INVOCATION AND PLEDGE OF ALLEGIANCE**

1. Prayer and Pledge by: Teaching Minister, Steve Loo - Hope Church

**B. ELECTION MATTERS**

1. **Consider Ordinance No. 2019-10, canvassing the returns and declaring the results of the General Election held on May 04, 2019 for the purpose of electing a Mayor and two (2) City Council Members (Place 2 and Place 3).**

Justin Ray, Mayor called the item and opened the sealed envelope containing the canvass report for the May 04, 2019 General Election for the City of Jersey Village. He instructed the members of Council to open their envelopes containing the canvass report and to review same. A summary is as follows:

<i>Name of Candidate</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
<b>Mayor</b>			
Andrew Mitcham	<b>453</b>	<b>171</b>	<b>624</b>
<b>Councilmember Place No. 2</b>			
Greg Holden	<b>397</b>	<b>141</b>	<b>538</b>
Merrilee Rosene Beazley	<b>138</b>	<b>102</b>	<b>240</b>
<b>Councilmember Place No. 3</b>			
Bobby Warren	<b>445</b>	<b>172</b>	<b>617</b>

Mayor Ray read the returns and announced the following: Andrew Mitcham, Greg Holden and Bobby Warren were duly elected to their respective positions.

Once the Council Members completed their review of the canvass, Mayor Ray called for a motion to approve Ordinance No. 2019-10, canvassing the returns and declaring the results of the General Municipal Election held May 04, 2019.

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Council Member Warren moved to approve Ordinance No. 2019-10, canvassing the returns and declaring the results of the General Municipal Election held May 04, 2019. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2019-10

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 04, 2019.

After the Ordinance passed, Mayor Ray stated the following:

This concludes the canvass of the election of the General Election held on May 4, 2019 for the City Jersey Village with a total of **789** voters.

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

**2. Issuance of Certificate of Election to Newly Elected Officials.**

City Secretary, Lorri Coody, delivered Certificates of Election to the newly elected officials Andrew Mitcham, Mayor; Greg Holden, Council Member, Place 2; and Bobby Warren, Council Member, Place 3.

**3. Administer Oath of Office to Elected and newly Appointed Officials.**

City Secretary, Lorri Coody, administered the Oath of Office to newly elected officials Andrew Mitcham, Mayor; Greg Holden, Council Member, Place 2; and Bobby Warren, Council Member, Place 3. Ms. Coody also administered the Oath of Office to the newly appointed Council Member for Place 1, Drew Wasson.

**4. Recognition and Presentation of Service Award to outgoing Mayor, Justin Ray, for his years of service to the City of Jersey Village.**

Newly Elected Mayor, Andrew Mitcham, recognized and presented a service plaque to outgoing Mayor Justin Ray for his years of service to the City of Jersey Village. Mayor Ray, accepting the service plaque, gave a few remarks about his service and stated that he has enjoyed the experience.

**RECESS** – Mayor Mitcham called for a short recess at 7:10 p.m. in order that the newly elected members of Council could take their place at the Council dais.

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*Mayor Andrew Mitcham took the place of outgoing Mayor Justin Ray and Council Member Drew Wasson filled the vacant Council Place 1 seat. The meeting resumed at 7:25 p.m.*

**C. 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 16884 NW FWY, 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 Mitcham called upon Building Official, Christian Somers, to give a presentation regarding this item. Mr. Somers’ presentation included information about the following topics:

Super7 is located at 16884 NW FWY and is composed of four (4) buildings;  
A notice letter was mailed to concerned parties outlining the Building Official’s findings, which Mr. Somers explained;  
Pictures of the buildings were displayed showing structural load pathway problem areas;  
Problems with interior floors and ceilings, including pictures of problem areas;  
Cladding/fenestration, including pictures of problem areas;  
Mechanical, including pictures of problem areas;  
Electrical, including pictures of problem areas;  
Plumbing, including pictures of problem areas;  
Health concerns, including pictures of problem areas;  
Problems with additional structures, including pictures of problem areas;  
“Plan” submittal of April 30, 2019;  
Overview of purchase with particulars about usable rooms;  
Section 34-250 Determination;  
Location – Call-For Service Report; and  
Section 18-186 – Lodging License – Revocation

In completing his presentation, City Council had the following questions, which Mr. Somers answered:

**Question:** What is the timeline of the new owner’s rehab process?

**Answer:** The process began in late June of 2018.

**Question:** What prompted the action in late June of 2018?

**Answer:** A new purchase of property requires a new certificate of occupancy and inspections. He also stated that the City did not have any contact with the new owners prior to the purchase of the property.

**Question:** Did the City have any contact with the new owners prior to the purchase?

**Answer:** No

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**Question:** Since the new owners do not have a certificate of occupancy, will they have to meet new codes or are they grandfathered?

**Answer:** They will be grandfathered on some codes, but not all.

**Question:** What is the history of pulling the certificate of occupancy?

**Answer:** Building 1 was pulled first and followed by buildings 3 and 4.

**Question:** What work has been completed?

**Answer:** Since June 1, 2018, only the opening soffits and closing wall in the manager's office has been done. There has been no substantial progress.

**Question:** Is there any indication that the work will be completed timely?

**Answer:** The owners have submitted a plan and construction documents, but both are lacking. Some of the plans were submitted on 8 ½ x 11 inch paper and are not legible. Nonetheless, a comment letter on the submission will be released on Wednesday. So far, it has 22 comments.

**Question:** Is it possible to complete all the fixes in 90 days?

**Answer:** If professionals are hired to complete the work it is possible, if not, NO.

With no other questions from Council, Mayor Mitcham called upon the lienholders, mortgagees, or owners of the property to come forward and be heard.

**Lance H. "Luke" Beshara, Attorney at Law, 221 W. Exchange Ave., Suite 206A, Fort Worth, Texas 76164 – (817) 394-4844:** Mr. Beshara told Council that he is an attorney and represents Jersey Village Lodging LLC. He has been engaged to address the concerns of the City. He wants to do things right. In doing so, he believes it is important to understand the history of the property. It was originally a Motel 6. When purchased from Motel 6, his clients did not do due diligence. Consequently, they are working to rectify the problems with the buildings. He stated his objections to the notice letter. He stated that he felt that a number of the items in question required "true" expert testimony from engineers, and are beyond the expertise of the City's Building Official. He went on to explain that his client's version of the events is a bit different from the City's version. He explained that initially, the City complained of the soundness of the second floor balcony structures. With this complaint, the owner hired an engineer to evaluate the initial finding and gave a plan of action to the owners. When this plan was presented, the ground rules were changed. Additionally, the City said that the owners could fix one building at a time. This plan was also changed. He went on to explain that he has been hired to work with the City to rectify the problems to ensure that the City's codes are met. Another engineer has been hired and his findings of over 160 pages were submitted to the City. If items are still missing, the owner is open to the City's input. This plan had been underway for a considerable time before receiving the City's notice letter on April 29, 2019. Mr. Beshara told Council that his client is prepared to invest the dollars that are necessary to get the job done. However, 90 days is not enough time. He also stated that the owners are having a hard time getting permits to address the issues. They are not permitted to work until they get the required

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permits. They agree there are deficiencies. He has been hired to address these deficiencies. A reasonable time frame to complete a project of this magnitude would include a phasing approach. There are many problems to be repaired and these problems did not happen over the course of the past year. He asked for additional time to resolve the issues. He wants City Council to table the issue until the next meeting so he can present a game plan. In completing his presentation, Council asked the following questions, and Mr. Beshara responded:

**Question:** Some Council Members felt that purchasing the property without due diligence is indicative of how it is going to go from here on out. Some felt that the initial intent of the owners to use the revenue of some rooms to rehab others makes for a flawed business plan that is compromised by inactivity for more than 10 months.

**Answer:** Mr. Beshara explained that during the purchase process, the owners were dealing with Motel 6 and expected that the property was fully maintained. They found out differently once the property was purchased.

**Question:** When were you retained?

**Answer:** I was retained within the last two (2) weeks. Since that time, I have reviewed documents, but because of my recent involvement in a jury trial I have not be able to reach out to Building Official Somers.

**Question:** Some members of Council voiced their concern about the owners' intent to resolve the issues.

**Answer:** Attorney Beshara complained that 90 days was not enough time since work cannot begin without proper permits.

**Question:** Why haven't the engineers been on the property within the past 10 months?

**Answer:** They have been on the property, a structural engineer was hired to review the walk way issues, but Mr. Somers always changes the scope of work.

Council engaged in discussion about the conflicting stories between the owners and the City. It seems that the owners cannot get permits and the City does not have proper plan submittals. Discussion was had on a plan for moving forward. It was the consensus of City Council that the property in its current state is derelict and the Council wants it brought up to Code.

With no further discussions with the owner's attorney, Mayor Mitcham called to order the public hearing at 8:24 p.m. stating that the purpose of the hearing is to provide for the owner or the owner's representatives of the property located at 16884 NW FWY, 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.

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With no one desiring to speak at this hearing, Mayor Mitcham closed the public hearing being held to provide for the owner or the owner's representatives of the property located at 16884 NW FWY, 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 8:25 p.m.

Mayor Mitcham than asked Attorney Beshara if he had any closing remarks. Attorney Beshara stated that the owners want to fix the issues, but need more time to prepare a plan of attack.

Hearing nothing further, Mayor Mitcham called the next item on the agenda as follows:

2. **Consider Ordinance No. 2019-11, finding the structures at 16884 NW FWY, Jersey Village, Texas 77040, (RES B1, Northwest Village Business Park, R/P), the "property", to be substandard and a public nuisance; ordering Jersey Village Lodging, LLC 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.**

City Attorney, Scott Bounds, referred Council's attention to the proposed Ordinance that was included in the meeting packet. He explained that Section 2(a) could be deleted. He explained the time table in Section 2, including part (B) concerning vacating and fencing the property. He explained that should the Council grant the owners more than 90 days, that monthly progress reporting is necessary. He explained the rest of the proposed Ordinance in detail.

Council discussed extending the 90 day period to 180 days. In receiving the progress reports, they want to compare the updates to a plan of action. After detailed discussion, the Council agreed on the following dates for the time table in Section 2, beginning at item B as follows:

- B. Within ten (10) days [by MAY 23, 2019], the Owner shall vacate the Property and secure the Property by fencing approved by the Building Official; and the building shall be remain vacated and secured until a certificate of occupancy is issued by the Building Official.
- C. The buildings on the Property shall be repaired by the Owner within one-hundred eighty (180) days [NOVEMBER 9, 2019].
- D. The Owner, lienholders, and mortgagees of the Property shall secure the Property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Building Official.

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- E. No work shall be performed by Owner on the Property until a permit is issued consistent with the Code by the Building Official, and all work shall be consistent with the Code.
- F. The Owner shall provide to the Building Official the following plans, reports and specifications:
  - 1) A written mold assessment by a licensed professional engineer or assessor of the interior spaces of the buildings intended for occupancy on the Property by JUNE 13, 2019;
  - 2) A written asbestos survey/ screening by a licensed professional engineer by JUNE 13, 2019;
  - 3) A written roof inspection report by a licensed professional engineer or experienced roof inspector by JUNE 13, 2019; and
  - 4) Complete construction documents and a plan of action for the construction / required repairs for the Property, including details for each motel room intended for human occupancy; the manager’s apartment, the office/business/lobby guest area, the laundry areas, storage rooms, mechanical rooms, linen/washing rooms, breakrooms and similar work areas, and the pool area by JULY 15, 2019.
- G. The Owner shall submit all applications for the permits necessary to repair the Property by JULY 15, 2019.
- H. The Owner shall start work on any permit issued for the repair of Property within ten (10) days of the issuance of the permit.
- I. The Owner shall report to the City Council the progress on the performance of the permitted work on the first regular meeting of the City Council for each month until the permitted work is complete.
- J. No person may occupy the structures on the Property until a final inspection and certificate of occupancy are issued; provided, however, the Building Official may permit temporary certificates of occupancy for separate buildings.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance No. 2019-11, finding the structures at 16884 NW FWY, Jersey Village, Texas 77040, (RES B1, Northwest Village Business Park, R/P), the “property”, to be substandard and a public nuisance; ordering Jersey Village Lodging, LLC 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 as amended. Council Member Warren seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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ORDINANCE NO. 2019-11

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, FINDING THE STRUCTURES AT 16884 NW FWY, JERSEY VILLAGE, TEXAS 77040, (RES B1, NORTHWEST VILLAGE BUSINESS PARK, R/P), THE “PROPERTY”, TO BE SUBSTANDARD AND A PUBLIC NUISANCE; ORDERING JERSEY VILLAGE LODGING, LLC 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.

**D. PRESENTATION**

**1. Presentation of Employee of the Month.**

The Employee of the Month Program was developed to encourage recognition of Jersey Village employees who show exemplary individual achievement, contribution, and performance in their jobs. These individuals consistently exhibit a positive and supportive attitude and make contributions beyond the usual expectations of their employment.

City Manager Austin Bless presented the May employee of the month award to Rayne Herzog.

**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.

**Susan Edwards, 16001 Jersey Drive, Jersey Village, Texas (713) 466-4383** – Mrs. Edwards thanked Mayor Ray for his leadership and service to the City. She wished him well for the future. She acknowledged in coming Mayor Mitcham, and wished him well.

**Brandon Hakori, 1255 West 15<sup>th</sup> Street, Suite 1060, Plano, Texas 75075 (971) 400-2942** – Mr. Hakori gave an update on 15421 Leeds Lane on behalf of the lien holder, Amerihome Mortgage Company. He reported that the homeowner communicated to him that he was going to secure and demo the home. However, he did not secure the home and the home as of this date has not been demolished. Mr. Hakori also told City Council that he received an email today that the demo may have started, but he cannot confirm. Amerihome has worked with the City to secure the property



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and is soliciting bids to submit the HUD to do the demolition. It will take three to four weeks, which is beyond the City's time line. He would like the City to consider this in moving forward.

**Scott Schbring, 15814 Tenbury Street, Jersey Village, Texas (713) 829-2972** – Mr. Schbring was not present when called to speak.

**Merrilee Beazley, Jersey Village, Texas**: Ms. Beazley told City Council the reason why she ran for position two in the most recent City Election. She is concerned about the excess dollars in the City's general fund that the current City Council is using to fund projects. She also shared results of a survey she conducted, stating that she does not believe that James Singleton won the election in 2018. She is concerned about economic development in connection with Village Center and would like this development plan taken to the public for a vote. She wants the City to move from the ballot box to electronic voting.

**Dawn Eubanks, 16302 Wall Street, Jersey Village, Texas (832) 816-0062**: Ms. Eubanks thanked Justin Ray on his service to the City of Jersey Village. She gave information about the various areas in the City wherein she has served as a volunteer. She encouraged all residents to become more involved in the City and to learn how the City works. She encouraged residents to be positive and work together.

**Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1868**: Mr. Maloy spoke of the homestead exemption. He wants the Council to consider raising this exemption to 20% and he wants the over 65 exemption set at \$160,000. He gave background information on property tax revenue in the City and quoted from the Mayor's most recent posts on Next Door. He went on to explain the current exemptions and the amount of savings to residents should the Council approve an increase in exemptions.

**F. CITY MANAGER'S REPORT**

City Manager Bless gave his monthly report as follows:

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – March 2019, General Fund Budget Projections as of April 2019, and Utility Fund Budget Projections – April 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**

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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 May 6, 2019, and the Regular Session Meeting held on April 15, 2019.**
2. **Consider Resolution No. 2019-20, receiving the Capital Improvements Advisory Committee's April 2019 Semiannual Progress Report.**

RESOLUTION NO. 2019-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE'S APRIL 2019 SEMIANNUAL PROGRESS REPORT.

3. **Consider Resolution No. 2019-21, receiving the Planning and Zoning Commission's 2019 Annual Progress Report pertaining to the City's progress in implementing the Comprehensive Plan.**

RESOLUTION NO. 2019-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S 2019 ANNUAL PROGRESS REPORT PERTAINING TO THE CITY'S PROGRESS IN IMPLEMENTING THE COMPREHENSIVE PLAN.

4. **Consider Resolution No. 2019-22, approving participation by the City of Jersey Village as a partner with the Harris County Emergency Management Plan, and authorizing the Mayor to sign the approval and implementation sheet on behalf of the City.**

RESOLUTION NO. 2019-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING PARTICIPATION BY THE CITY OF JERSEY VILLAGE AS A PARTNER WITH THE HARRIS COUNTY EMERGENCY MANAGEMENT PLAN, AND AUTHORIZING THE MAYOR TO SIGN THE APPROVAL AND IMPLEMENTATION SHEET ON BEHALF OF THE CITY.

5. **Consider Resolution No. 2019-23, authorizing the Jersey Village Fire Department to remove, give and/or auction off surplus equipment.**

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RESOLUTION NO. 2019-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE JERSEY VILLAGE FIRE DEPARTMENT TO REMOVE, GIVE AND/OR AUCTION OFF SURPLUS EQUIPMENT.

6. **Consider Ordinance No. 2019-12, amending the Capital Improvement Fund Budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 by increasing line items 10-91-7014 (FY 17 - Home Elevation Grant Adm. Services) in the amount not to exceed \$400,000 and 10-90-9905 (FY 17 - FEMA Grant Home Elevations) in the amount not to exceed \$3,355,448 for the administration of all aspects of the grant according to the contractual agreement with TWDB and the Flood Mitigation Assistance Grant Agreement with FEMA.**

ORDINANCE NO. 2019-12

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CAPITAL IMPROVEMENT FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 BY INCREASING LINE ITEMS 10-91-7014 (FY 17 – FEMA GRANT ADMINISTRATIVE SERVICES) IN THE AMOUNT NOT TO EXCEED \$400,000 AND 10-90-9905 (FY 17 – FEMA GRANT HOME ELEVATION) IN THE AMOUNT NOT TO EXCEED \$3,355,448

Council Member Warren moved to approve items 1 through 6 on the consent agenda. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**I. REGULAR SESSION**

1. **Consider Resolution No. 2019-24, electing a Mayor Pro Tem.**

With limited discussion, Council Member Singleton moved to nominate Bobby Warren to serve as Mayor Pro Tem. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Wasson, Holden, Singleton, and Wubbenhorst

Nays: None

Abstain: Council Member Warren

The motion carried.

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Council Member Singleton moved to approve Resolution No. 2019-24, electing Bobby Warren as Mayor Pro Tem. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Wasson, Holden, Singleton, and Wubbenhorst

Nays: None

Abstain: Council Member Warren

The motion carried.

RESOLUTION NO. 2019-24

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

**2. Consider Resolution No. 2019-25, assigning Council Members to serve as liaison to various City committees and boards.**

Mayor Mitcham called the item, stating that the only Boards/Committees without a liaison are the Planning and Zoning Commission and the Capital Improvements Advisory Committee. He asked for discussion on the matter, and if there would be any changes in the current assignments. The consensus was as follows:

Planning and Zoning Commission and	Drew Wasson
Capital Improvements Advisory Committee	Greg Holden
Building Board of Adjustment and Appeals	James Singleton
Recreation and Events Committee	Bobby Warren
Golf Course Advisory Committee	Gary Wubbenhorst
Board of Adjustment	Bobby Warren
TIRZ Board Zone No. 2	

With no further discussion on this item, Council Member Singleton moved to approve Resolution No. 2019-25, assigning Council Members to serve as liaison to various city committees and boards as discussed. Council Member Warren seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2019-25

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

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3. **Consider Resolution No. 2019-26, accepting the resignation of Crime Control and Prevention District Board Member Justin Ray, and appointing a new member to the Crime Control and Prevention District for the unexpired term ending August 31, 2019.**

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

The current members of the board of directors and the termination dates of their terms of office are Greg Holden, August 31, 2019; Justin Ray, August 31, 2019; Bobby Warren, August 31, 2019; Gary Wubbenhorst, August 31, 2020; James Singleton, August 31, 2020; Andrew Mitcham, August 31, 2020; and J. Lane DuBois-Freeman, August 31, 2020.

Justin Ray has resigned as member of the board of directors. Drew Wasson is a newly appointed Council Member.

With limited discussion on the matter, Council Member Holden moved to approve Resolution No. 2019-26, accepting the resignation of Crime Control and Prevention District Board Member Justin Ray, and appointing Drew Wasson as the new member to the Crime Control and Prevention District for the unexpired term ending August 31, 2019. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2019-26

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

4. **Consider Ordinance No. 2019-13, receiving the Planning and Zoning Commission’s Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposed zoning amendment change from District G to District A for the properties located at 16401 Lakeview Drive and described as Res A1 Jersey Meadows, 16327 Lakeview Drive and described as Res B1 Jersey Meadows, 0 Lakeview Drive and described as Res D Jersey Meadows, and 16501 Jersey Drive and described as TRS 1B & 12E (NM) ABST 228 J M Dement in the City of Jersey Village, Texas.**

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Christian Somers, Building Official, introduced Rick Faircloth, Chairman of the Planning and Zoning Commission, to introduce the item. Mr. Faircloth told City Council that the Planning and Zoning Commission met on April 22, 2019, to review the City’s proposal for a zoning change for 16327 and 16401 Lakeview Drive along with 16501 Jersey Drive. These properties are all owned by the City and house the current City Hall, Police Station, and Fire Station. The proposal is to change the zone from Zone G “Second Business District” to Zone A “Single Family Dwelling.

In accordance with the Commission’s discussions, the Commission preliminary recommends the zoning change in its Preliminary Report and asks Council to receive the report and call for a Joint Public Hearing on June 17, 2019, between the City Council and the Commission.

With limited discussion on the matter, Council Member Warren moved to approve Ordinance No. 2019-13, receiving the Planning and Zoning Commission’s Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposed zoning amendment change from District G to District A for the properties located at 16401 Lakeview Drive and described as Res A1 Jersey Meadows, 16327 Lakeview Drive and described as Res B1 Jersey Meadows, 0 Lakeview Drive and described as Res D Jersey Meadows, and 16501 Jersey Drive and described as TRS 1B & 12E (NM) ABST 228 J M Dement in the City of Jersey Village, Texas. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2019-13

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSED ZONING AMENDMENT CHANGE FROM DISTRICT G TO DISTRICT A FOR THE PROPERTIES LOCATED AT 16401 LAKEVIEW DRIVE AND DESCRIBED AS RES A1 JERSEY MEADOWS, 16327 LAKEVIEW DRIVE AND DESCRIBED AS RES B1 JERSEY MEADOWS, 0 LAKEVIEW DRIVE AND DESCRIBED AS RES D JERSEY MEADOWS, AND 16501 JERSEY DRIVE AND DESCRIBED AS TRS 1B & 12E (NM) ABST 228 J M DEMENT IN THE CITY OF JERSEY VILLAGE, TEXAS.

- 5. Consider Ordinance No. 2019-14, receiving the Planning and Zoning Commission’s Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 2 Use Based Zoning**

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**Districts, Section 14-101 Regulations for District A (Single-Family Dwelling District) to revise Subsection (a) to authorize police stations and fire stations.**

Christian Somers, Building Official, introduced Rick Faircloth, Chairman of the Planning and Zoning Commission, to introduce the item. Mr. Faircloth told City Council that the Planning and Zoning Commission met on April 22, 2019, to review the City's proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 2 Use Based Zoning Districts, Section 14-101 Regulations for District A (Single-Family Dwelling District) to revise Subsection (a) to authorize police stations and fire stations.

In accordance with the Commission's discussions, the Commission preliminary recommends the text amendment authorizing police stations and fire stations and asks Council to receive its Preliminary Report and call for a Joint Public Hearing on June 17, 2019, between the City Council and the Commission.

With limited discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2019-14, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 2 Use Based Zoning Districts, Section 14-101 Regulations for District A (Single-Family Dwelling District) to revise Subsection (a) to authorize police stations and fire stations. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND CHAPTER 14 BUILDING AND DEVELOPMENT, ARTICLE IV. ZONING DISTRICTS, DIVISION 2 USE BASED ZONING DISTRICTS, SECTION 14-101 REGULATIONS FOR DISTRICT A (SINGLE-FAMILY DWELLING DISTRICT) TO REVISE SUBSECTION (A) TO AUTHORIZE POLICE STATIONS AND FIRE STATIONS.

- 6. Consider Ordinance No. 2019-15, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 2 Use Based Zoning Districts, Section 14-101 Regulations for District A (Single-Family Dwelling District)**

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**to revise Subsection (c) to limit the types of masonry that may be used for veneer treatments.**

Christian Somers, Building Official, introduced Rick Faircloth, Chairman of the Planning and Zoning Commission, to introduce the item. Mr. Faircloth told City Council that the Planning and Zoning Commission met on April 22, 2019, to review the City's proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 2 Use Based Zoning Districts, Section 14-101 Regulations for District A (Single-Family Dwelling District) to revise Subsection (c) to limit the types of masonry that may be used for veneer treatments.

In accordance with the Commission's discussions, the Commission preliminary recommends the text amendment to limit the types of masonry that may be used for veneer treatments and asks Council to receive its Preliminary Report and call for a Joint Public Hearing on June 17, 2019, between the City Council and the Commission.

With limited discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2019-15, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 2 Use Based Zoning Districts, Section 14-101 Regulations for District A (Single-Family Dwelling District) to revise Subsection (c) to limit the types of masonry that may be used for veneer treatments. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2019-15

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND CHAPTER 14 BUILDING AND DEVELOPMENT, ARTICLE IV. ZONING DISTRICTS, DIVISION 2 USE BASED ZONING DISTRICTS, SECTION 14-101 REGULATIONS FOR DISTRICT A (SINGLE-FAMILY DWELLING DISTRICT) TO REVISE SUBSECTION (C) TO LIMIT THE TYPES OF MASONRY THAT MAY BE USED FOR VENEER TREATMENTS.

- 7. Consider Ordinance No. 2019-16, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14**



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**Building and Development, Article IV. Zoning Districts, Division 1 Generally, Section 14-88 Regulations that Apply for all Districts, to revise Subsection (a)(19)(a) to provide for screening of commercial development from residential zoning districts.**

Christian Somers, Building Official, introduced Rick Faircloth, Chairman of the Planning and Zoning Commission, to introduce the item. Mr. Faircloth told City Council that the Planning and Zoning Commission met on April 22, 2019, to review the City's proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 1 Generally, Section 14-88 Regulations that Apply for all Districts, to revise Subsection (a)(19)(a) to provide for screening of commercial development from residential zoning districts.

In accordance with the Commission's discussions, the Commission preliminary recommends the text amendment authorizing screening of commercial development from residential zoning districts and asks Council to receive its Preliminary Report and call for a Joint Public Hearing on June 17, 2019, between the City Council and the Commission.

With limited discussion on the matter, Council Member Warren moved to approve Ordinance No. 2019-16, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article IV. Zoning Districts, Division 1 Generally, Section 14-88 Regulations that Apply for all Districts, to revise Subsection (a)(19)(a) to provide for screening of commercial development from residential zoning districts. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2019-16

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND CHAPTER 14 BUILDING AND DEVELOPMENT, ARTICLE IV. ZONING DISTRICTS, DIVISION 1 GENERALLY, SECTION 14-88 REGULATIONS THAT APPLY FOR ALL DISTRICTS, TO REVISE SUBSECTION (A)(19)(A) TO PROVIDE FOR SCREENING OF COMMERCIAL DEVELOPMENT FROM RESIDENTIAL ZONING DISTRICTS.

- 8. Consider Resolution No. 2019-27, approving the sale of approximately 23.34 acres of land Southeast of US 290 on either side of Jones Road in Jersey Village, Texas, to**

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**Collaborate Special Projects, LLC for the sum of \$5,250,000, pursuant to a Real Property Purchase Agreement made by and between the City of Jersey Village and Collaborate Special Projects, LLC; and, authorizing the City Manager to take all appropriate and necessary steps to complete the sale of said property.**

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 October 2018 the City purchased approximately 23.34 acres of Land from Jones Road Holding LTD. The City paid \$5,250,000 for that property.

Tonight the Council can enter into a Real Property Purchase Agreement with Collaborate Special Projects LLC to sell the property to them for the amount of \$5,250,000. It is anticipated the sale of this property will close in August of this year.

Last month, the Council approved the assignment of the option for the other parcels of land. So with approval of this tonight, Collaborate Special Projects will control and own all of the land upon the purchase being completed.

This Resolution authorizes the sale of the property and authorizes the City Manager to take all appropriate and necessary steps to complete the sale.

Council engaged in discussion about the earnest money only being \$100. City Manager Bleess stated that this was the amount recommended by the City's attorney. Some Members felt good about being at this place in the process, acknowledging that the decisions to get here were not always easy ones, but were the right ones.

With no further discussion on the matter, Council Member Singleton moved to approve Resolution No. 2019-27, approving the sale of approximately 23.34 acres of land Southeast of US 290 on either side of Jones Road in Jersey Village, Texas, to Collaborate Special Projects, LLC for the sum of \$5,250,000, pursuant to a Real Property Purchase Agreement made by and between the City of Jersey Village and Collaborate Special Projects, LLC; and, authorizing the City Manager to take all appropriate and necessary steps to complete the sale of said property. Council Member Warren seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2019-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SALE OF APPROXIMATELY 23.34 ACRES OF LAND SOUTHEAST OF US 290 ON EITHER SIDE OF JONES ROAD IN JERSEY VILLAGE, TEXAS, TO COLLABORATE SPECIAL PROJECTS, LLC FOR THE SUM OF

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\$5,250,000, PURSUANT TO A REAL PROPERTY PURCHASE AGREEMENT MADE BY AND BETWEEN THE CITY OF JERSEY VILLAGE AND COLLABORATE SPECIAL PROJECTS, LLC; AND, AUTHORIZING THE CITY MANAGER TO TAKE ALL APPROPRIATE AND NECESSARY STEPS TO COMPLETE THE SALE OF SAID PROPERTY.

**9. Consider Resolution No. 2019-28, awarding the bid and authorizing the City Manager to execute a contract with Nova Painting for the City of Jersey Village Ground Storage Tank Rehabilitation Project at the Seattle and Village Water Plants.**

Austin Bless, City Manager, introduced the item. Background information is as follows:

On May 7, 2019, the City of Jersey Village Engineer, Brooks & Sparks Inc., along with City staff received bid documents related to the City's Ground Storage Tank Rehabilitation Project at the Seattle and Village Water Plants. Nova Painting was the responsive, qualified bidder, submitting a bid of \$315,000. City Engineer Brooks & Sparks Inc. has reviewed the bid proposal, and it is the recommendation of Frank Brooks that the City select Nova Painting as the contactors for the City's Ground Storage Tank Rehabilitation Project at the Seattle and Village Water Plants.

With limited discussion on the matter, Council Member Wubbenhorst moved to approve Resolution No. 2019-28, awarding the bid and authorizing the City Manager to execute a contract with Nova Painting for the City of Jersey Village Ground Storage Tank Rehabilitation Project at the Seattle and Village Water Plants. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2019-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NOVA PAINTINGS LLC FOR THE CITY'S GROUND STORAGE TANK REHABILITATION PROJECT AT THE SEATTLE AND VILLAGE WATER PLANTS.

**J. 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;

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- 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 thanked outgoing Mayor Ray for his service to Jersey Village. He thanked Rayne Herzog for her work, noting that she does a great job in a very critical position.

**Council Member Singleton:** Council Member Singleton also thanked Rayne Herzog for her service. He thanked outgoing Mayor Ray for his service and he congratulated incoming Mayor Mitcham.

**Council Member Wasson:** Council Member Wasson thanked outgoing Mayor Ray for his serving, stating that he considered him as his mentor in seeking a position on City Council. He was impressed with Rayne Herzog work for the City and thanked her for her hard work. He closed by stating he was looking forward to working with City Council and Staff in his role as City Council Member.

**Council Member Holden:** Council Member Holden thanked outgoing Mayor Ray for his service to the City, stating that Mayor Ray is a true community leader, not a politician. Mayor Ray brought an understanding and vision to Jersey Village. He is a leader and we are in a much better place because of his service.

**Council Member Warren:** Council Member Warren also thanked outgoing Mayor Ray for his service. He stated he is thankful for the opportunity to get to know him and work with him. He appreciates his leadership and advocacy for the City of Jersey Village.

**Mayor Mitcham:** Mayor Mitcham thanked everyone for attending the meeting. He also thanked outgoing Mayor Ray for his service to the City, stating that he will be missed. He stated that Mayor Ray built a foundation for what will happen over the course of the next several years, naming the Golf Course Convention Center and Clubhouse and Village Center. He wished Mayor Ray a bright future. He thanked the Jersey Village residents for their confidence in him to lead the City as Mayor for the next two years.

**K. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 9:33 p.m.



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Lorri Coody, City Secretary