

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 14, 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 Mitcham at 7:00 p.m. with the following present:

Mayor, Andrew Mitcham	City Manager, Austin Bleess
Council Member, Drew Wasson	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: Mark Bitz, Fire Chief; Isabel Kato, Finance Director; Christian Somers, Building Official; Jason Alfaro, Director of Parks and Recreation; and Harry Ward, Director of Public Works.

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.**

Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post #324, along with Mayor Mitcham, presented the Police Department Employee of the Third Quarter award to Officer Kevin Alley.

2. **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 Bleess presented the October employee of the month award to Madison Boudreaux.

D. CITIZENS' COMMENTS

Any person who desires to address City Council regarding an item on the agenda 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 not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the City Council.

Merrilee Beazley, 14910 Lakeview Drive, Jersey Village, Texas (346) 332-6074: Mrs. Beazley spoke to the Council about the recent Doggie Dip Day Event. She had concerns about the City's pool being used by dogs and how it affects human health. She provided statistics that supported

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

her concerns. She also spoke to censorship and the Nextdoor website. She stated that she felt that it was a conflict of interest that Council Member Singleton's wife is in charge of that censorship. She also read an email that she received from Council Member Warren.

Michael Stembridge, 15422 Jersey Drive, Jersey Village, Texas (713) 983-8647 – Mr. Stembridge told City Council that he is confused by the process by which homes in the City are being selected for the Home Elevation Program. He stated that he was initially told that his home would be chosen in round two of the program, but this is not the case. He stated that he has been waiting for four years to be included in the program. He believes his home should be included in the next round of the program and gave reasons in support of same. He also stated that he would like more transparency regarding the program.

Mark Maloy 7806 Hamilton Circle, Jersey Village, Texas (713) 553-3625 – Mr. Maloy spoke to the amount of taxpayer dollars being spent on the City's golf course. He does not support the spending. He cannot understand how these dollars can be spent on a golf course when the Council refuses to set the maximum exemption limits for the homestead exemption and the over 65 exemption for taxes. He gave statistics concerning the amount of spending on the course and how this spending affects the fund balance. He also spoke to the item on the agenda concerning the purchase of new golf carts. He is concerned about all this spending and that the dollars being spent on the course do not come from positive golf course revenues.

Dawn Eubanks, 16302 Wall Street, Jersey Village, Texas (832) 816-0062 – Ms. Eubanks invited everyone to attend the Fire Department and Police Department Open House on October 19, 2019 from 10 am to 2 pm. She said it will be a great event and residents should bring their children to try out the new bounce house and take a ride on the fire truck. She stated that it is a great opportunity to get to know the Fire Department and Police Department. She also encouraged residents to sign-up for citizens' academies put on by the Police and Fire Departments.

E. CITY MANAGER'S REPORT

In addition to his monthly report that follows, City Manager Bless gave an update on the Community Rating System Program, stating that the City will join the CRS at a Class 7, which was the goal. Most communities enter in at a Class 9, some an 8. Very few come in at Class 7. For people in the flood plain that means a 15% savings, or about \$130 on average. If someone is outside of the flood plain it is a 5% savings.

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

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

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**

F. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

1. **Consider approval of the Minutes for the Special Session Meeting held on September 11, 2019 and the Regular Session Meeting held on September 16, 2019.**

Council Member Wubbenhorst moved to approve item 1 on the consent agenda. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

G. REGULAR SESSION

1. **Consider Resolution No. 2019-69, approving the sale of approximately 10.56 acres of land described as Reserves D and E of Jones Rd. 290 Commercial Reserves to Collaborate Special Projects, LLC for the sum of \$2,950,000; 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. He told City Council that this evening the Council can take another step forward in the development of Village Center. In September 2019 the City purchased approximately 10.56 acres of Land from Jones Road Project LTD. The City paid \$2,950,000 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 \$2,950,000. It is anticipated the sale of this property will close before the end of this calendar year.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

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

With limited discussion on the matter, Council Member Warren moved to approve Resolution No. 2019-69, approving the sale of approximately 10.56 acres of land described as Reserves D and E of Jones Rd. 290 Commercial Reserves to Collaborate Special Projects, LLC for the sum of \$2,950,000; and authorizing the City Manager to take all appropriate and necessary steps to complete the sale of said property. 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. 2019-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SALE 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 FOR THE SUM OF \$2,950,000, 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.

2. Discuss and take appropriate action concerning various options for moving forward with the Golf Course Clubhouse and Convention Center Project.

Jason Alfaro, Parks and Recreation Director, introduced the item. Background information is as follows:

On March 8, 2018, the City Council held a workshop to discuss options for a new clubhouse facility, directing staff to prepare a request for proposal for the design of a new facility. The request for proposal was posted and emailed directly to 30 firms on March 14, 2018.

On April 16, 2018, the City Council approved Resolution Number 2018-20 authorizing the City Manager to negotiate an agreement with PGAL, Inc. for design of a new, Golf Course Club House. On May 14, 2018, City Council approved Resolution 2018-30 authorizing the City Manager to execute an agreement with PGAL for the design of a new Jersey Meadow Golf Course Clubhouse.

On May 15, 2019, the first bid announcement went public with the second announcement made on May 22, 2019. On May 23, 2019, city staff and PGAL held a pre bid meeting and on June 6, 2019, we opened bids. The three bids we received were from Four Seasons

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

Development Company for \$5,171,000, Bey Commercial Construction for \$5,400,006, and Stewart Builders Inc. for \$7,000,000. During the city council meeting on June 17, 2019, council directed staff to revisit the plans with PGAL, value engineer areas of the project and rebid the project with alternates, which could include removing the parking lot component from the construction process.

On July 19, 2019, PGAL sent city staff cost estimations and items that could be valued engineered. Staff reviewed the documents and found areas to reduce the project cost but ultimately felt that the cost would still be out of our budget. We discussed our concerns heavily with PGAL at a July 24, 2019, meeting and on August 1, 2019, PGAL stated they were engaging a cost estimator to review the project.

On September 23, 2019, staff received the cost estimation and met with PGAL to discuss our options moving forward. In the document, it shows that roughly \$1.4 million dollars would be designated for parking lot and site improvements and the building cost at roughly \$3.2 million dollars for the cost of removing the old facility and building the convention center and clubhouse. These figures did not include FF&E and contingencies.

At this time staff feels that we have three options for the clubhouse and convention center. Those options include:

- a.) Remodel the current clubhouse for an estimated \$1 million dollars. The estimated cost was based off previous cost estimates of the clubhouse remodel and includes inflation. In this option, we would also recommend building an estimated 6,000 square foot convention center near the lake that could host about 300 people. We would estimate the building cost at \$240 per square foot totaling roughly \$1.4 million dollars. Including FF&E and contingencies, we would anticipate a total building cost of roughly \$2 million dollars for a total project cost (remodel and new build) of \$3 million dollars. This estimate does not include any site work to the existing parking lot.
- b.) The second option would be to renovate the current clubhouse into the convention center for an estimated \$1 million dollars. The estimated cost was based from the previous cost estimate of the clubhouse remodel and includes inflation. The current kitchen would be used as a warming station, and a restaurant could be built in conjunction with the new clubhouse. In this option, we would also recommend building a 6,000 square foot pro shop and restaurant that would be situated near the lake. The cost of this project would be estimated very similar to option a, as we would estimate the project at \$240 per square foot.
- c.) The last option that staff will introduce is to work with an architect to design a one story, roughly 9,500 square foot facility that would include a pro shop, restaurant, and convention center and would be located in our proposed clubhouse location near the lake. Staff feels that we have a solid design for the new facility and that we could incorporate majority of the floor plan designed by PGAL into the new architect's

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

drawings. We would recommend not working with PGAL any further and find a new architect to work with to complete this project.

The aforementioned options do not include site work to the parking lot nor does it include landscaping. Staff feels that the parking lot will be a future project that could be phased in.

Council engaged in discussion about the various options. Some members felt that the current building has outlived its useful life so rehabilitating it is not an option. There was concern about the service provided by PGAL. The status of the contract was discussed and the amount of dollars already paid to PGAL. Staff reported that PGAL has been paid for all services up to the project management portion of the contract. The City Attorney addressed recourse, stating that he will need to review the terms of the contract.

Some Members felt that we had worked with PGAL, laying out the parameters of what was wanted and PGAL said it was good, but now that the process is complete, it is not good and way over budget. Accordingly, City Council wanted a reasonable explanation as to how we got to this point and how we can bring the project back in line with the original numbers presented.

City Manager Bless explained that PGAL had brought in a cost estimator, resulting in the numbers presented in the introductory of this item. He stated that in order to bring the numbers back to the original numbers, the building size would need to be reduced from 11,000 square feet to 9,000 square feet and from a two story building to a one story building. Given this information, some Member still felt that there was not enough information to make a decision.

The construction material of the design that went out to bid was discussed. It was wood construction. Some Members felt that for a building this size, wood construction was questionable.

Some members felt that the City needs to separate from PGAL, but wanted a better understanding as to the City's recourse.

It was the consensus of Council that putting more dollars into the existing building in terms of a remodel is not an option and that option C is most likely since it would be using HOT Funds while options A and B would be using general fund dollars.

There was concern that should the City use a different consultant than PGAL that the cost of the project would increase. Some felt that perhaps staying with PGAL would produce a design that falls within the criteria for the dollars already paid to them to design the building.

City Manager Bless explained that Staff has worked with PGAL to bring the cost down, but have been unsuccessful. With this in mind, City Staff feels that PGAL may not be the

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

best fit for moving forward with this project. Option C will require a total redesign. Perhaps Collaborate Special Projects can help.

In discussing a total redesign, some Members felt that we should not cap it at 9,000 square feet because it may not meet our needs. City Council must make sure the needs are met. With this in mind, some felt that a Council Work Session would be advantageous in order to obtain additional information, understand what went wrong with PGAL, discuss what elements can be eliminated and what elements to keep, and insure that the end result will be a building that meets the needs of the City.

At this point in the discussion, City Attorney Bounds was asked if the requirement for public comments required by the new legislature had been met. City Attorney Bounds advised that the public comment item must be posted on the agenda as one of the first items so meeting attendees have the opportunity to comment on items that are on the agenda prior to being called. This agenda posting satisfied the requirement and comments were taken earlier in the meeting.

With no further discussion, City Council directed Staff to gather the information needed and schedule a Work Session Meeting for Council to discuss this item further.

3. Consider Resolution No. 2019-70, authorizing the City Manager to enter into a contract with E-Z-GO for the purchase of eighty-two (82) 2020 E-Z-GO Model TXT 48v golf carts and the E-Z-GO TFM Textron Fleet Management System.

Jason Alfaro, Parks and Recreation Director, introduced the item. Background information is as follows:

Our current golf cart fleet is over four years old and is due for replacement. The department contributes to the equipment replacement fund yearly and is requesting to purchase new golf carts at this time. We have contacted three major golf cart manufacturers who are all part of the state cooperative purchasing program. During the proposals we asked all manufacturers to not only include costs for eighty-two (82) carts, but to also include information and pricing on their cart monitoring system.

The cart monitoring equipment would be extremely helpful to staff and help the course as well. The monitoring system will allow staff to control the carts during cart path only days or geo-fence areas on the course not allowing carts to drive into those areas. This system also allows patrons to order food from the cart and has other various features.

Each company submitted an optional player experience screen and office software that is priced separately from actual cart fleet pricing. All figures include shipping and installation of cart parts and chargers upon delivery.

Carts Only:

E-Z-GO – TXT 48v – \$226,650

Yamaha – Drive 2 - \$258,421

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

Club Car – Tempo Connect - \$268,032

Player Experience:

E-Z-GO – TFM - \$36,712/year

Yamaha YamaTrack - \$34,440/year

Club Car Tempo Connect - \$31,488 - \$68,750

We had originally budgeted \$255,000 in the Capital Replacement Fund for the purchase of the new golf cart fleet. Although the cart fleet purchase does fall below our budgeted amount and the player experience will put us over our budget, we have enough funds saved in the Capital Replacement Plan. We will need to adjust our balance in the Capital Replacement Plan during the future fiscal years if this purchase is approved.

Council engaged in discussion about the player experience in connection with the fleet management software. Mr. Alfaro, Director of Parks and Recreation, explained that this system provides for tracking the pace of play, it has a map of the course, it assists the golfer with hazard information and much more. The software helps to create an experience that will draw more players to our course. It also helps with golf course maintenance and saves money. It is worth the cost, especially since the hidden savings will affect the bottom line.

There was discussion about the carts and the associated warranty. Maintenance contracts were the same across all of the vendors bidding. The maintenance offered is very close to what we currently have with Yamaha. E-Z-GO has a representative in the area and can address issues easily. Yamaha is our current vendor, but E-Z-GO's bid came in lower than Yamaha.

The vehicle replacement program was discussed. Mr. Alfaro explained that golf carts are currently on a four-year replacement schedule. However, given that many problems with batteries have been discovered in year four, Staff is looking at changing the replacement schedule for golf carts to every three years.

The cost of the vehicle replacement program for golf carts was discussed. Finance Director Kato explained that the golf course fund contributes to the cart replacement program, not general fund monies. Additionally, Mr. Alfaro added that having the funds available to pay for the carts gave the City discounts.

With no further discussion on the matter, Council Member Warren moved to approve Resolution No. 2019-70, authorizing the City Manager to enter into a contract with E-Z-GO for the purchase of eighty-two (82) 2020 E-Z-GO Model TXT 48v golf carts and the E-Z-GO TFM Textron Fleet Management System. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

The motion carried.

RESOLUTION NO. 2019-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EZGO FOR THE PURCHASE OF EIGHTY-TWO (82) 2020 E-Z-GO MODEL TXT 48V GOLF CARTS AND THE E-Z-GO TFM TEXTRON FLEET MANAGEMENT SYSTEM.

- 4. Consider Resolution No. 2019-71, authorizing the City Manager to enter into a contract with Republic Masonry and Fencing LLC for the construction of the five gateway and marquee signs.**

Jason Alfaro, Parks and Recreation Director, introduced the item. Background information is as follows:

In February of 2018, city council approved a gateway and wayfinding master plan prepared for the city by Clark Condon. During the October 15, 2018 city council meeting, council approved a contract with Clark Condon for the design and construction management of the gateway and wayfinding signs.

Since that time, staff has been working with Clark Condon and Harris County identifying sign locations that are in the city and county right-of-ways. In April of 2019, city staff and Clark Condon representatives had a meeting with the county to discuss the locations that were in county right-of-way. We submitted questions and project information to the county at that time, and we received our first response from the county on August 21, 2019. During the interim, Clark Condon and staff decided to continue moving forward with the locations located in city right-of-way only. The number of locations decreased from nine (9) that were originally proposed to five (5) that are within the city right-of-way. Taking this route will allow us not to seek further approval from any other organization(s).

On September 11, 2019, the first bid announcement was made public with the second announcement-taking place on September 18, 2019. There was a pre-bid meeting held on September 24, 2019 and formal bid openings took place on October 1, 2019. At the bid openings, we received three bids, two of which were under our estimated amount. The bids were from Republic Masonry and Fencing, LLC for a project cost of \$278,241.39, D.L. Meacham LP for a project cost of \$281,203.50, and Jerdon Enterprise, L.P. for a project cost of \$388,888.88. In relation, Clark Condon estimated the project to cost \$346,880.50.

Council engaged in discussion about the bids. There was some concern that Jerdon's bid for the site work was much higher than all the others. Council also discussed Clark Condon's experience with the bidding vendors.

With no further discussion on the item, Council Member Warren moved to approve Resolution No. 2019-71, authorizing the City Manager to enter into a contract with

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

Republic Masonry and Fencing LLC for the construction of the five gateway and marquee signs. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2019-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH REPUBLIC MASONRY & FENCING LLC FOR THE CONSTRUCTION OF THE FIVE GATEWAY AND MARQUEE SIGNS.

- 5. Consider Ordinance No. 2019-36, amending the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, “Building and Development,” Article VIII. “Public Utilities,” at Section 14-208(f) in order to make clear the responsibility of the developer concerning individual service connections; providing a severability clause; and providing a penalty as provided by section 1-8 of the code.**

Christian Somers, Building Official, introduced the item. Background information is as follows:

This item is to review proposed amendments to the Code of Ordinances, of the City of Jersey Village, Texas at Chapter 14, “Building and Development” such that the City will no longer be responsible for the installation of water taps – specifically, when a water meter is installed for irrigation systems, as has been past policy and practice.

An irrigation system was recently installed for a lot on Senate Ave. By ordinance, irrigation systems require a separate meter. The attendant meter was installed, which required multiple city personnel and heavy equipment (backhoe and boring machine), necessary for boring below Senate Ave. in order to access the water main on the east side. Six city personnel were required at one juncture for six hours, with much of the work being overtime, and the overall time required was roughly equivalent to 100 man-hours, whereas it is the responsibility of a “developer” to perform such work.

To clarify, city staff recommends the following text change:

Sec. 14-208 - General criteria.

(f) *Individual service connections.* ~~The~~ A developer shall install service connections (taps) for each ~~structure~~ property in the development. If individual utility connections for multifamily housing are desired, the developer shall install service connections for each dwelling unit at the time of construction. Service connections shall be the appropriate size to serve the intended use of the property, as approved by the city, and shall extend from

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

the public utility line to the lot property line or utility easement line, as the case may be. All corporation stops, service piping, curb stops, meter boxes, vaults, cleanouts and any other material required for the connection shall be included in the service connection installation.

The proposed text change will better align Section 14-208 with Section 70-3, which clearly places the onus on the developer as follows:

Sec. 70-3 - Use of public sewers and public water supply required; exceptions.

(e) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, **situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public water main of the city is hereby required at the owner's expense to install suitable water supply facilities therein, and to connect such facilities directly with a public water main through a city-approved water meter, the installation cost of the water meter to be paid by the owners, in accordance with the provisions of this chapter**, within 60 days after the date of official notice to do so, provided that such public water main is within 300 feet (91.5 meters) of the property line.

And in consideration of the following: Ch. 14, Art. I, “In General”, Sec. 14-5 “Definitions”

Developer means any person who improves or subdivides a tract of land or improves or takes any action preparatory to the erection, improvement or movement of any building or structure on a tract of land.

This item is to request the necessary changes to resolve any discrepancy between what has been the policy of the Public Works Department and the developer’s responsibilities.

Council engaged in discussion about the proposed amendment along with the current process and fee schedule. Building Official Somers explained that the change is only to reinforce that the developer is responsible for installing water meters.

The fees were discussed. Mr. Somers confirmed that the proposed fees include the cost of the meter, paperwork, and the inspection. The install process for developers was discussed.

With no further discussion on the matter, Council Member Warren moved to approve Ordinance No. 2019-36, amending the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, “Building and Development,” Article VIII. “Public Utilities,” at Section 14-208(f) in order to make clear the responsibility of the developer concerning individual service connections; providing a severability clause; and providing a penalty as provided by section 1-8 of the code. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

The motion carried.

ORDINANCE NO. 2019-36

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14, "BUILDING AND DEVELOPMENT," ARTICLE VIII. "PUBLIC UTILITIES," AT SECTION 14-208(F) IN ORDER TO MAKE CLEAR THE RESPONSIBILITY OF THE DEVELOPER CONCERNING INDIVIDUAL SERVICE CONNECTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE.

- 6. Consider Ordinance No. 2019-37, amending the Jersey Village Code of Ordinances, Chapter 2, Article IV, Division 2, Section 2-142(f)(9) to amend the schedule of fees related to city water meters; providing a severability clause; and providing a penalty as provided by section 1-8 of the code.**

Christian Somers, Building Official, introduced the item. He told City Council that this item is to consider changes to the City's water meter fees.

Council engaged in discussion about the fees and if the decrease was sufficient to cover the City's costs. The Council considered the size of the meters versus the fee.

It was the consensus of Council that the proposed Resolution should be amended to reflect the following:

“(9) City ~~W~~water meters ~~installation for residential and commercial meters:~~

Three-fourths inch	\$600.00 <u>300.00</u>
One Inch to 2 ½ inches	\$700.00 <u>350.00</u>
<u>Over 2 ½ inches</u>	<u>Cost of meter plus 25%</u>

With no further discussion on the matter, Council Member Singleton moved to approve the amended version of Ordinance No. 2019-37, amending the Jersey Village Code of Ordinances, Chapter 2, Article IV, Division 2, Section 2-142(f)(9) to amend the schedule of fees related to city water meters; providing a severability clause; and providing a penalty as provided by section 1-8 of the code. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2019-37

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE JERSEY VILLAGE CODE OF ORDINANCES, CHAPTER 2, ARTICLE IV, DIVISION

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

2, SECTION 2-142(f)(9) TO AMEND THE SCHEDULE OF FEES RELATED TO CITY WATER METERS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE.

7. **Discuss and take appropriate action concerning a progress report from the Owners of the property located at 16884 NW FWY, Jersey Village, Texas concerning the progress on the performance of the permitted work required under Ordinance 2019-11, which found the structures on the Property to be substandard and a public nuisance; ordered JERSEY VILLAGE LODGING, LLC to abate the substandard and dangerous structures on the Property within 180 days; authorized the repair or demolition of the structures on the Property if the owners fail to abate the substandard and dangerous structures; authorized a lien against the Property for the costs of repair or demolition; and made other findings and provisions related thereto.**

Christian Somers, Building Official, introduced the item. Background information is as follows:

On May 13, 2019, City Council approved Ordinance No. 2019-11, which found the structures on the Property located at 16884 NW FWY to be substandard and a public nuisance and ordered JERSEY VILLAGE LODGING, LLC to abate the substandard and dangerous structures on the Property within 180 days.

Since May 13, 2019, Council has received progress reports on compliance with Ordinance No. 2019-11 on June 17, 2019, July 15, 2019, August 19, 2019, and September 16, 2019.

In completing the September 16, 2019 progress report, City Council expected the following four (4) items to be completed by the next progress report on October 14, 2019:

- 1) Issuance of the Master Building Permit;
- 2) Issuance of a Trespass Affidavit;
- 3) Payment of Hotel Taxes; and
- 4) Installation of permanent fencing to secure the property.

Since September 16, 2019, the City has received a Trespass Affidavit. However, the Master Building Permit, while already released for permitting, has yet to be obtained / issued, permanent fencing has yet to be installed (though temporary construction fencing and attendant job site monitoring should suffice once permit is procured), and the Hotel Taxes have not been paid.

Mr. Somers reported that the building permit is set to be picked up on Wednesday of this week. The Hotel Taxes have not yet been paid but the owners of the property have contacted the City's Finance Director in order to get the paperwork that is necessary to make this payment.

Council asked Building Official Somers if the owners are moving forward with the remodel. He responded stating that he had concerns given that the permit has been ready

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

to be picked up for a couple of weeks but there has been a delay. Some Council Members did not think that a two-week delay in picking up the permit was too concerning, especially given that the pick-up date is set for this week Wednesday. It was pointed out that once the permit is picked-up, the owners have 60 days to begin construction.

Council discussed the non-payment of the hotel taxes. Finance Director Kato stated that there will be penalties for the late payment.

Kathlyn Jones with Patel Gaines, Attorneys at Law, representing Jersey Village Lodging, LLC was present. She told City Council that the permit will be picked-up on Wednesday. She told the Council that her client had issued the Trespass Affidavit as requested and her client will take the necessary steps to secure the property once construction begins.

Council stated that the next meeting is set for November 18, 2019 at 7 PM.

H. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make 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;
- 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 sorrow and sympathies for the family of Joe Bontke who had served as the City's Fire Department Santa for many years. He stated that Mr. Bontke was a member of the Jersey Village Fire Department and he is deeply saddened by his passing.

Council Member Singleton: Council Member Singleton prays for the Bontke family and extends his condolences. He thanked Dawn Eubanks for her comments concerning the Jersey Village Fire Department and Police Department Open House that will take place Saturday, October 19, 2019 from 10 am to 2 pm.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019

Council Member Wasson: Council Member Wasson also extends his sympathy to the Bontke family and the Fire Department family as well. Mr. Bontke served as the Fire Departments Santa for many years and he will be missed.

Council Member Holden: Council Member Holden had no comments.

Council Member Warren: Council Member Warren stated that the loss of Mr. Bontke has been felt not only in Jersey Village, but in the surrounding area as well. Mr. Bontke impacted many lives and he will be missed. Mr. Warren invited all to attend the Fire Department and Police Department Open House on Saturday.

Mayor Mitcham: Mayor Mitcham also stated that he is sorry for the loss of Joe Bontke. He has served as Santa for many years and he will be missed. He extended his deepest sympathies to the Bontke family.

I. RECESS THE REGULAR SESSION

Mayor Mitcham recessed the Regular Session at 8:28 p.m. to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.074 – Personnel Matters.

J. EXECUTIVE SESSION

- 1. Deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of the Presiding Municipal Court Judge and the Municipal Court Judges of the City of Jersey Village, pursuant to the Texas Open Meetings Act Section 551.074.**

K. ADJOURN EXECUTIVE SESSION

Mayor Mitcham adjourned the Executive Session at 9:14 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

L. RECONVENE REGULAR SESSION

- 1. Consider Resolution No. 2019-72, appointing the Presiding Municipal Court Judge and the Municipal Court Judges for the term beginning January 1, 2020 and ending December 31, 2021.**

This item was not called. No action was taken.

- 2. Consider Resolution No. 2019-73, appointing Humberto Ramirez as Municipal Court Clerk of the City of Jersey Village for the term beginning January 1, 2020 and ending December 31, 2021.**

This item was not called. No action was taken.

M. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:15 p.m.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – OCTOBER 14, 2019



Lorri Coody, City Secretary