

Andrew Mitcham, Mayor
Drew Wasson, Council Position No. 1
Greg Holden, Council Position No. 2
Bobby Warren, Council Position No. 3
James Singleton, Council Position No. 4
Gary Wubbenhorst, Council Position No. 5



Austin Bleess, City Manager
Lorri Coody, City Secretary
Justin Pruitt, City Attorney

Jersey Village City Council – Special Session Meeting Agenda

Notice is hereby given of a Special Session Meeting of the City Council of the City of Jersey Village to be held on Monday, March 23, 2020, at 6:00 p.m. at the Civic Center, 16327 Lakeview Drive, Jersey Village, Texas, for the purpose of considering the following agenda items that relate to the coronavirus disease 2019 (COVID-19). All agenda items are subject to action. The Mayor and a quorum of the City Council will be physically present at the meeting. James Singleton, Council Position No. 4, will participate in the meeting via videoconference call. The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

B. 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.

C. SPECIAL SESSION ITEMS

1. Discuss and take appropriate action regarding an update on staff activities and City status regarding COVID-19. *Austin Bleess, City Manager*
2. Consider Ordinance No. 2020-06, continuing a Mayoral Declaration of Local Disaster due to public health emergency; waiving certain fees during the public health emergency; suspending the disconnection of water services during the public health emergency; providing restrictions on community gatherings; providing for severability; providing for a fine in an amount not to exceed two thousand dollars (\$2,000) for each offense; and, providing an effective date. *Austin Bleess, City Manager*
3. Consider Ordinance No. 2020-07, amending the General Fund Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020 by increasing line items 01-25-3524 (FEMA Supplies) in the amount not to exceed \$5,000 and 01-25-3525 (FEMA Equipment) in the amount not to exceed \$5,000. *Isabel Kato, Finance Director*

D. ADJOURN

CERTIFICATION

I, the undersigned authority, do hereby certify in accordance with the Texas Open Meeting Act, the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the

bulletin board located at City Hall, 16327 Lakeview, Jersey Village, TX 77040, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: March 18, 2020 at 2:30 p.m. and remained so posted until said meeting was convened.

Lorri Coody, City Secretary

In compliance with the Americans with Disabilities Act, the City of Jersey Village will provide for reasonable accommodations for persons attending City Council meetings. Request for accommodations must be made to the City Secretary by calling 713 466-2102 forty-eight (48) hours prior to the meetings. Agendas are posted on the Internet Website at www.jerseyvillagetx.com

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."



B. 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.

**CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS
AGENDA REQUEST**

AGENDA DATE: March 23, 2020

AGENDA ITEM: C1

AGENDA SUBJECT: Discuss and take appropriate action regarding an update on staff activities and City status regarding COVID-19.

Department/Prepared By: Lorri Coody

Date Submitted: March 18, 2020

EXHIBITS: N/A

BUDGETARY IMPACT:	Required Expenditure:	\$
	Amount Budgeted:	\$
	Appropriation Required:	\$

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

This item is to discuss and take appropriate action regarding an update on staff activities and City status regarding COVID-19.

RECOMMENDED ACTION:

Discuss and take appropriate action regarding an update on staff activities and City status regarding COVID-19.

CITY COUNCIL - CITY OF JERSEY VILLAGE, TEXAS -AGENDA REQUEST

AGENDA DATE: March 23, 2020

AGENDA ITEM: C2

AGENDA SUBJECT: Consider Ordinance No. 2020-06, continuing a Mayoral Declaration of Local Disaster due to public health emergency; waiving certain fees during the public health emergency; suspending the disconnection of water services during the public health emergency; providing restrictions on community gatherings; providing for severability; providing for a fine in an amount not to exceed two thousand dollars (\$2,000) for each offense; and, providing an effective date.

Department/Prepared By: Austin Bless, City Manager **Date Submitted:** March 18, 2020

EXHIBIT: [Ordinance No. 2020-06](#)

BACKGROUND INFORMATION:

This ordinance has four main pieces to it.

Section 1 of this ordinance extends the Declaration of Local Disaster, which was signed by Mayor Mitcham on Tuesday, March 17, 2020. Per state law that declaration ends after 7 days unless continued by the Council.

Section 2 authorizes the Council to take any actions necessary to promote health and suppress disease.

Section 3 declares that those persons under investigation, persons under management, and quarantined persons remain quarantined.

Section 4 waives the credit card processing fees for utility bills and municipal court payments. This is being recommended due to the fact City Hall is closed to the public and people are being encouraged to pay online.

Section 5 waives late fees for utility bills during this emergency.

Section 6 suspends water disconnections due to unpaid bills during the emergency.

Section 7 limits gatherings based upon CDC Guidelines. This does not impact the City Golf Course or municipal parks as typically in those areas 10 or more people are not within an arm's length of one another for extended periods of time.

RECOMMENDED ACTION:

To approve Ordinance No. 2020-06, continuing a Mayoral Declaration of Local Disaster due to public health emergency; waiving certain fees during the public health emergency; suspending the disconnection of water services during the public health emergency; providing restrictions on community gatherings; providing for severability; providing for a fine in an amount not to exceed two thousand dollars (\$2,000) for each offense; and, providing an effective date.

RECOMMENDED MOTION:

To approve Ordinance No. 2020-06, continuing a Mayoral Declaration of Local Disaster due to public health emergency; waiving certain fees during the public health emergency; suspending the disconnection of water services during the public health emergency; providing restrictions on community gatherings; providing for severability; providing for a fine in an amount not to exceed two thousand dollars (\$2,000) for each offense; and, providing an effective date.

ORDINANCE NO. 2020-06

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CONTINUING A MAYORAL DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY; WAIVING CERTAIN FEES DURING THE PUBLIC HEALTH EMERGENCY; SUSPENDING THE DISCONNECTION OF WATER SERVICES DURING THE PUBLIC HEALTH EMERGENCY; PROVIDING RESTRICTIONS ON COMMUNITY GATHERINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A FINE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, in December 2019, a novel respiratory disease named "SARS-CoV-2" that causes what is now named "coronavirus disease 2019" ("COVID-19") was detected in Wuhan City, Hubei Province, China; and

WHEREAS, symptoms of COVID-19 include fever, cough, and shortness of breath that may result in mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern and advised countries to prepare for the containment of COVID-19, with such containment including active surveillance, early detection, isolation management, case management, contact tracing, and prevention of onward spread of COVID-19; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States could potentially signal that transmission of COVID-19 may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas; and

WHEREAS, according to the Center for Disease Control ("CDC"), it is likely that, at some point, widespread transmission of COVID-19 in the United States will occur; and

WHEREAS, the CDC warns that widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time; and

WHEREAS, the CDC also warns that COVID-19 could cause: schools, childcare centers, workplaces, and other places for mass gatherings to experience more absenteeism; public health and healthcare systems to become overloaded with elevated rates of hospitalizations and deaths; other critical public service infrastructure, such as law enforcement, emergency medical services, and transportation, to be affected; and, health care providers and hospitals to become overwhelmed; and

WHEREAS, given the CDC's guidance, among other things, there is an ongoing risk and likelihood of COVID-19-positive persons being identified in the City of Jersey Village; and

WHEREAS, the City of Jersey Village, local health agencies, and political subdivisions within the region have been working diligently to implement the CDC's guidelines, but now

require additional tools and resources to protect the public health given the current state of COVID-19 and the need for a sustained response; and

WHEREAS, the CDC has determined that large events and mass gatherings can contribute to the spread of COVID-19 in the United States by travelers who attend these events and introduce COVID-19 to new communities; and

WHEREAS, the CDC, in accordance with its guidance for large events and mass gatherings, has recommended that event organizers, whether groups or individuals, cancel or postpone in-person events that consist of ten (10) people or more throughout the United States beginning March 17, 2020 and continuing through March 31, 2020; and

WHEREAS, the CDC, in accordance with its guidance for large events and mass gatherings, has recommended that event organizers, whether groups or individuals, cancel or postpone in-person events that consist of fifty (50) people or more throughout the United States beginning April 1, 2020 and continuing until such time as the CDC determines that such restrictions are not necessary; and

WHEREAS, on March 17, 2020, the Mayor of the City of Jersey Village provided a Declaration of Local Disaster Due to Public Health Emergency for the City of Jersey Village, with such declaration activating the City of Jersey Village Emergency Management Plan and authorizing: 1. the temporary or permanent acquiring, by lease, purchase, or other means, sites required for temporary housing units or emergency shelters for disaster victims; and, 2. the entering into of arrangements necessary to prepare or equip such sites for installation and use of temporary housing units or emergency shelters, including arrangements necessary for the transportation and purchase of temporary housing units or emergency shelters; and **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF JERSEY VILLAGE, TEXAS:

Section 1. Pursuant to Texas Health and Safety Code 408.108(b), the City Council of the City of Jersey Village (the “Council”) hereby continues the Mayor’s Declaration of Local Disaster Due to Public Health Emergency for the City of Jersey Village, until such time as a Federal, State of Texas, Harris County, or other applicable authority indicates that the threat of COVID-19 is not a public health emergency for the City of Jersey Village.

Section 2. Pursuant to §122.006(1) of the Texas Health and Safety Code, the Council is authorized take any actions necessary to promote health and suppress disease, including quarantine and examination requirements of citizens and the regulating of hospitals.

Section 3. Pursuant to §122.006(2) of the Texas Health and Safety Code, the Council hereby declares that those persons under investigation, persons under management, and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the COVID-19.

Section 4. The Council hereby waives all processing and convenience fees for credit card payments required in Section 2-171 and Section 2-142(f)(16) of the City of Jersey Village Code of Ordinances throughout the duration of the Mayor’s Declaration as continued by this Ordinance.

Section 5. The Council hereby waives late fees on unpaid balances of water and wastewater bills as required by Section 70-77 of the City of Jersey Village Code of Ordinances throughout the duration of the Mayor’s Declaration as continued by this Ordinance.

Section 6. The Council suspends the disconnection of water services provided in Section 70-77 of the City of Jersey Village Code of Ordinances throughout the duration of the Mayor’s Declaration as continued by this Ordinance.

Section 7. The Council prohibits Community Gatherings within the City of Jersey Village, as such term is defined herein.

Upon the execution of this Ordinance the following regulations regarding Community Gatherings shall apply:

PROHIBITED GATHERINGS.

Public or private Community Gatherings are prohibited anywhere in the City of Jersey Village.

- a) For purposes of this Ordinance, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
- b) An outdoor “Community Gathering” under these regulations is limited to events in confined outdoor spaces, which means an outdoor space that:
 - i. is enclosed by a fence, physical barrier, or other structure; and
 - ii. where people are present and they are within arm’s length of one another for extended periods.
- c) These regulations do not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as 10 people are not present in any single space at the same time. These regulations also do not prohibit the use of enclosed spaces where ten (10) or more people may be present at different times during the day, so long as ten (10) or more people are not present in the space at the same time.
- d) For purposes of clarity, a “Community Gathering” does not include the following so long as visitors are generally not within arm’s length of one another for extended periods;
 - i. office space or residential buildings;
 - ii. grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods; and
 - iii. hospitals and medical facilities.
- e) spaces where ten (10) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;
 - i. office space or residential buildings;
 - ii. grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods; and
 - iii. hospitals and medical facilities.

Beginning April 1, 2020 the following regulations regarding mass gatherings will apply:

PROHIBITED GATHERINGS.

Public or private Community Gatherings are prohibited anywhere in the City of Jersey Village.

- a) For purposes of these regulations, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
- b) An outdoor “Community Gathering” under these regulations is limited to events in confined outdoor spaces, which means an outdoor space that
 - i. is enclosed by a fence, physical barrier, or other structure; and
 - ii. where people are present and they are within arm’s length of one another for extended periods.
- c) These regulations do not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as fifty (50) people are not present in any single space at the same time. These regulations also do not prohibit the use of enclosed spaces where fifty (50) or more people may be present at different times during the day, so long as fifty (50) or more people are not present in the space at the same time.
- d) For purposes of clarity, a “Community Gathering” does not include the following so long as visitors are generally not within arm’s length of one another for extended periods:
 - i. spaces where fifty (50) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;
 - ii. office space or residential buildings;
 - iii. grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods; and
 - iv. hospitals and medical facilities.

Section 8. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 9. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed two thousand (\$2,000), with each day of violation constituting a separate offense.

Section 10. This Ordinance shall take effect immediately upon its approval.

APPROVED AND ADOPTED THIS 23RD DAY OF MARCH 2020.

Andrew Mitcham, Mayor

ATTEST:

Lorri Coody, City Secretary



**CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS
AGENDA REQUEST**

AGENDA DATE: March 23, 2020

AGENDA ITEM: C3

AGENDA SUBJECT: Consider Ordinance No. 2020-07, amending the General Fund Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020 by increasing line items 01-25-3524 (FEMA Supplies) in the amount not to exceed \$5,000 and 01-25-3525 (FEMA Equipment) in the amount not to exceed \$5,000.

Department/Prepared By: Finance/Isabel Kato **Date Submitted:** March 17, 2020

EXHIBITS: [Ordinance 2020-07](#)
[Exhibit A](#) – Budget Amendment Form

BUDGETARY IMPACT:	Required Expenditure:	\$ 10,000
	Amount Budgeted:	\$ 0.00
	Appropriation Required:	\$ 10,000

CITY MANAGER APPROVAL: AB

BACKGROUND INFORMATION:

Because of the emergency declaration of the Coronavirus Pandemic, City Staff requires to purchase additional supplies and equipment in order to assist us to serve the public during this crisis.

RECOMMENDED ACTION:

Motion: To approve Ordinance No. 2020-07, amending the General Fund Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020 by increasing line items 01-25-3524 (FEMA Supplies) in the amount not to exceed \$5,000 and 01-25-3525 (FEMA Equipment) in the amount not to exceed \$5,000.

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 BY INCREASING LINE ITEMS 01-25-3524 (FEMA SUPPLIES) IN THE AMOUNT NOT TO EXCEED \$5,000 AND 01-25-3525 (FEMA EQUIPMENT) IN THE AMOUNT NOT TO EXCEED \$5,000.

WHEREAS, subsequent to the adoption of the annual budget for the City of Jersey Village for the fiscal year beginning October 1, 2019, and ending September 30, 2020, the City has expenditure changes; and

WHEREAS, the City Manager has recommended that such budget be amended to reflect such revenues and expenditures in accordance with Exhibit A attached hereto and made a part hereof; and

WHEREAS, the City Council finds and determines that the budget should be amended as recommended by the City Manager; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS THAT:

Section 1. The recitals contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted.

Section 2. The annual budget of the City of Jersey Village, Texas for the fiscal year beginning October 1, 2019, and ending September 30, 2020, is hereby amended by increasing the appropriations to the account contained therein as provided in the attached:

- Exhibit A – Budget Amendment from General Fund by increasing line item 01-25-3524 (FEMA Supplies) in the amount not to exceed \$5,000 and increasing line item 01-25-3525 (FEMA Equipment) in the amount not to exceed \$5,000.

Section 3. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part of this declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED this 23rd day of March, 2020

Andrew Mitcham, Mayor

ATTEST:

Lorri Coody, City Secretary



**CITY OF JERSEY VILLAGE
BUDGET TRANSFER / AMENDMENT REQUEST FORM**

I request the following budget transfer between line item within the same division:

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
_____	_____	_____

I request the following amendment to the current budget to increase the overall budget by the amount designated below: **Only one item per form.**

<u>From the fund balance of:</u>	<u>To Line Item</u>	<u>Amount</u>
<input checked="" type="checkbox"/> General Fund	01-25-3524	\$ 5,000
	01-25-3525	\$ 5,000
<input type="checkbox"/> Utility Fund	_____	_____
<input type="checkbox"/> Capital Improvements Fund	_____	_____
<input type="checkbox"/> Other _____	_____	_____

Justification

Because of the emergency declaration of the Coronavirus Pandemic, City Staff requires to purchase additional supplies and equipment in order to assist us to serve the public during this crisis.

Requested by: Isabel Kato Date 03-17-2020

Finance: Sufficient Funds, Exist Do Not Exist: Isabel Kato Date 3/17/20

City Manager: Approved / Not Approved: Arnt Blum Date 3/17/2020

CITY COUNCIL SPECIAL SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MARCH 23, 2020