

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MAY 10, 2021 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 7:13 p.m. with the following present:

Mayor, Andrew Mitcham	City Manager, Austin Bless
Council Member, Drew Wasson	City Secretary, Lorri Coody
Council Member, Greg Holden	City Attorney, Justin Pruitt
Council Member, Bobby Warren	
Council Member, James Singleton	
Council Member, Gary Wubbenhorst	

Staff in attendance: Mark Bitz, Fire Chief; Isabel Kato, Finance Director; Kirk Riggs, Chief of Police; Robert Basford, Director of Parks and Recreation; Harry Ward, Director of Public Works and Bob Blevins, IT Director.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer by: Drew Wasson, Council Member Place 1
2. Pledge by: Victoria Wasson

C. ELECTION ITEMS

1. **Discussion with possible action to consider Ordinance No. 2021-21, canvassing the returns and declaring the results of the General Election and Special Election held on May 01, 2021 for the purpose of electing a Mayor and two City Council Members (Place 2 and Place 3) and submitting to the qualified voters of the City propositions to amend the City Charter relating to Amendments to Section 2.12 – Publication of Ordinances; Gender Neutral Language; Elimination of Section 1.08 and 1.09 concerning red light cameras; and Amendments to Section 2.01 - Number, selection and term of office; and ordering that the Home Rule Charter is officially amended.**

Andrew Mitcham, Mayor, called the item and opened the sealed envelope containing the canvass report for the May 1, 2021 General and Special Elections for the City of Jersey Village. He instructed the members of Council to open their envelopes containing the canvass report and to review same. Mayor Mitcham read the total number of votes received for each candidate in the General Election as reflected in the precinct returns and the total number of votes received for each proposition in the Special Election as reflected in the precinct returns are as follows:

<i>Name of Candidate</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
Mayor			
Bobby Warren	611	315	926
Merrilee Beazley	171	149	320
Councilmember Place No. 2			

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Dell Humbert	126	86	212
Kamal Khan	187	157	344
Sheri Sheppard	469	193	662
Councilmember Place No. 3			
Michelle Mitcham	471	218	689
Ashley Brown	331	245	576
Charter Amendment – Proposition A			
Yes	588	310	898
No	204	158	362
Charter Amendment – Proposition B			
Yes	559	263	822
No	239	202	441
Charter Amendment – Proposition C			
Yes	655	341	996
No	137	123	260
Charter Amendment – Proposition D			
Yes	499	232	731
No	293	230	523

Upon completing the reading, and once members had completed their review of the canvass he stated the following:

The official canvass of the returns of the general and special elections held on May 1, 2021 reflects that the following persons were duly elected to the respective positions:

Mayor

Bobby Warren

Council Member, Place 2

Sheri Sheppard

Council Member, Place 3

Michelle Mitcham

Proposition A

Was approved by a majority of the qualified Voters

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Proposition B

Was approved by a majority of the qualified Voters

Proposition C

Was approved by a majority of the qualified Voters

Proposition D

Was approved by a majority of the qualified Voters

Mayor Mitcham then called for a motion to approve Ordinance No. 2021-21 canvassing the returns and declaring the results of the General and Special Municipal Elections held May 1, 2021 official.

Council Member Wubbenhorst moved to approve Ordinance No. 2021-21, canvassing the returns and declaring the results of the General Election and Special Election held on May 01, 2021 for the purpose of electing a Mayor and two City Council Members (Place 2 and Place 3) and submitting to the qualified voters of the City propositions to amend the City Charter relating to Amendments to Section 2.12 – Publication of Ordinances; Gender Neutral Language; Elimination of Section 1.08 and 1.09 concerning red light cameras; and Amendments to Section 2.01 - Number, selection and term of office; and ordering that the Home Rule Charter is officially amended. Council Member Warren seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2021-21

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION AND SPECIAL ELECTION HELD ON MAY 01, 2021 FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCIL MEMBERS (PLACE 2 AND PLACE 3) AND SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY PROPOSITIONS TO AMEND THE CITY CHARTER RELATING TO AMENDMENTS TO SECTION 2.12 – PUBLICATION OF ORDINANCES; GENDER NEUTRAL LANGUAGE; ELIMINATION OF SECTION 1.08 AND 1.09 CONCERNING RED LIGHT CAMERAS; AND AMENDMENTS TO SECTION 2.01 - NUMBER, SELECTION AND TERM OF OFFICE; AND ORDERING THAT THE HOME RULE CHARTER IS OFFICIALLY AMENDED.

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Mayor Mitcham then announced that this concludes the canvass of the General and Special Elections held on May 01, 2021 for the City Jersey Village with a total of **1288** voters.

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

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

4. Recognition and Presentation of Service Award to Andrew Mitcham outgoing Mayor and Greg Holden, Council Member – Place 2, for their years of service to the City of Jersey Village.

Mayor Mitcham, recognized and presented a service plaque to outgoing Council Member Greg Holden for his years of service to the City of Jersey Village.

Newly Elected Mayor, Bobby Warren, recognized and presented a service plaque to outgoing Mayor Andrew Mitcham for his years of service to the City of Jersey Village. Mayor Mitcham, accepting the service plaque, gave a few remarks about his service and thanked all those who helped him during his service.

RECESS – Mayor Warren took a short recess at 7:40 p.m. in order that the newly elected members of Council may take their place at the Council dais.

The meeting reconvened at 7:58 p.m.

D. 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.

Ashley Brown, 15602 Lakeview Drive, Jersey Village, Texas (936) 662-5231 – Ms. Brown spoke thanked election workers for the long hours spent in counting votes. She stated that her poll watchers reported to her the efficient manner in which they conducted their tasks. She appreciates their service and hard work. She went on to ask the Council to vote “No” on the contract with the developer for Village Center. She is concerned that the developers will not purchase the land and signing the contract before the purchase is careless. She believes the members should spend the City’s money as if it were their own and make decisions accordingly.

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Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to City Council about the White Oak Bayou channels and flooding. He is concerned about flooding. Over the years he has spoken to City Council about the golf course. He feels that many people in Jersey Village attend meetings in order to learn what is going on at the golf course. He stated that back in the year 2000 the City used certificates of obligation to purchase the golf course, which meant that residents were not permitted to vote for or against this purchase. Today we have acreage on the south side of US 290, which is to be developed as Village Center. The development process will cover this land with concrete and, in his mind, cause flooding. He voiced his confusion over the City's action that on the one hand we are doing improvements to mitigate flooding, but on the other we are not paying attention to the construction on the south side of US 290 that will cause flooding in Jersey Village.

Bill Edwards, 16001 Jersey Drive, Jersey Village, Texas (346) 313-3766 – Mr. Edwards spoke to City Council about the construction contract for the New City Hall. He does not support the contract. He does not think we should commit \$10M for this project. We have already spent \$8M for the land. He is against the contract.

Kristine Gill, 16117 Congo Lane, Jersey Village, Texas (281) 753-5417 – Ms. Gill spoke to City Council about the construction contract. She does not support the contract. She believes that Collaborate should commit and have “buy in” with the contract and project.

John Baucum, 15325 Chichester Lane, Jersey Village, Texas (713) 822-8405 – Mr. Baucum spoke to City Council about the election where he served as the Alternate Judge. He thanked all that worked to promote a fair election. He is happy about removing the red light cameras. He favors tax exemption increases. He spoke to the construction contract and he is not in favor of this contract. He is concerned that there are too many loose ends. He is concerned about clarity.

Deb Mauriello, 8406 Mauna, Jersey Village, Texas (281) 851-3620 – Ms. Mauriello spoke on behalf of Dorothy Starkey who believes that when building large facilities it should be taken to the voters. It was always the practice in the past to get voter approval, but this time, for building the New City Hall, the project was not taken to the voters. She believes that City Council has a duty to the residents and to their desires. She does not support this project or the construction contract for City Hall.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields asked City Council to vote “No” on the contract for building the City Hall. He is concerned that the petition that was submitted against the location of the City Hall was declined on a language issue. He gave information about the surrounding of where the proposed New City Hall will be built. He then went on to express his concern about other cities wanting to defund the police and he hopes that our City Council will not support such an issue.

Cheryl Desforges, 16309 Lakeview Drive, Jersey Village, Texas (713) 816-9202 – Ms. Desforges spoke to City Council about past bond elections and how these elections were conducted to take the building of city facilities to the voters. She believes that we need a New City Hall, but

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according to the recent petition, many residents believe that it should be built at its current location. She is concerned that the “valid” petition was thrown out. She does not believe that this is credible. She wants City Council to vote “No” on the proposal to build a City Hall across US HWY 290.

Kim-Ling Sun, 16330 Acapulco Drive, Jersey Village, Texas (832) 865-2604 – Ms. Sun thanked City Council for all their hard work and for listening to resident when contacted about various issues. She comes today in support of the construction of a New City Hall at Village Center. She supports the contract. She wants City Council to approve the contract. She went on to explain that she understands the bid and contract process. She is however concerned about signing the contact at this time. She believes that Collaborate should put down earnest money to show good faith. This would put residents at ease with a decision on moving forward with the project.

Connie Rossi, 15926 Lakeview Drive, Jersey Village, Texas – Ms. Rossi wants City Council to deny the contract for the construction of the new City Hall. She does not understand what the rush is to build this City Hall. She does not believe that City Council hears the voice of the residents and what they desire.

James MacDonald, 16306 Acapulco, Jersey Village, Texas (832) 253-6100 – Mr. MacDonald spoke in support of all candidates that ran for office in the recent election. He thanked Austin Bless for all his work and his team’s works in getting grant monies, which exceeds \$10M, to help offset costs for projects. He thanked Andrew and Gregg for their work on City Council. He closed by stating that residents have a passion for Jersey Village. He felt that we should join our passions to build a better community and achieve common goals.

Mike Stembridge, 15422 Jersey Drive, Jersey Village, Texas (832) 880-3809 – Mr. Stembridge wants a FEMA home elevation. He is concerned his home will flood. He was on the list in the past, but somehow was removed. He wants to be put back on the list for this elevation. He stated that his family is traumatized by flooding. He is against the contract with Brookstone. He wants the petition concerning the location of City Hall to be honored as valid. Many signed the petition and it should be honored as valid. He wants the City Hall to be located at its current location. He is worried about the new development. He is worried that it may become a ghost town. He mentioned that City Council should consider a casino for this area, rather than build City Hall there. He went on to explain his idea in detail.

Simon Hughes, 15409 Lakeview Drive, Jersey Village, Texas (281) 380-9001 – Mr. Hughes recommends that City Council should not approve the construction contract for the new City Hall because Collaborate has not purchased the land. He mentioned that he heard Collaborate lost their investors and therefore cannot purchase the land. He is concerned that the City will be out some \$18M for this project if the Council proceeds at this time. He is concerned about the process being put in place to carry out this project. He is concerned that the developers are not invested in this project. He gave detailed information that supports his position. He opposes the contact and does not want City Council to enter into this construction contract.

Barbara Freeman, 15501 Jersey Drive, Jersey Village, Texas – Ms. Freeman thanked all the election workers for their hard work during the May 1, 2021 election. She thanked all that put

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their name on the ballot. She thanked the City Secretary for her hard work and expertise in running this election, stating that we owe her a great debt of gratitude and we are blessed to have her in Jersey Village. She thanked the four ladies, Karie, Shirley, Laura and Debra, who counted the ballots. It took 20 plus hours and they did it with speed and accuracy.

E. CITY MANAGER’S REPORT

City Manager Bless gave his report as follows:

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – March 2021, General Fund Budget Projections as of April 2021, and Utility Fund Budget Projections – April 2021.**
- 2. Fire Departmental Report and Communication Division’s Monthly Report**
- 3. Police Department Monthly Activity Report, Warrant Report, Staffing/Recruitment Report, and Police Open Records Requests**
- 4. 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**
- 5. Public Works Departmental Status Report**
- 6. Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, and Parks and Recreation Departmental Report**
- 7. Code Enforcement Report**

F. CITY SECRETARY’S REPORT

- 1. City Secretary’s Report**

Council Member Singleton moved to go into Executive Session to discuss with the City Attorney the legal position on the ruling of the petition. Council Member Wasson seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

Accordingly, Mayor Warren recessed the Regular Session at 8:42 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 – Consult with Attorney regarding the legal position on the ruling of the petition filed with the City Secretary regarding the construction location of the New City Hall.

Mayor Warren adjourned the Executive Session at 9:03 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session. He then called the next item on the agenda as follows:

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G. CONSENT AGENDA

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

- 1. Consider approval of the Minutes for the Regular Session Meeting held on April 19, 2021 and the Special Session Meeting held on May 4, 2021.**
- 2. Consider Resolution No. 2021-24, receiving the Capital Improvements Advisory Committee's April 2021 Semiannual Progress Report.**

RESOLUTION NO. 2021-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE'S APRIL 2021 SEMIANNUAL PROGRESS REPORT.

- 3. Consider Resolution No. 2021-25, designating the Harris County Tax Assessor-Collector's Office to calculate the No-New-Revenue Tax Rate and the Voter-Approval Tax Rate in accordance with the Texas Tax Code.**

RESOLUTION NO. 2021-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING THE HARRIS COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE TO CALCULATE THE NO-NEW-REVENUE TAX RATE AND THE VOTER-APPROVAL TAX RATE IN ACCORDANCE WITH THE TEXAS TAX CODE.

- 4. Consider Resolution No. 2021-26, declaring surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

RESOLUTION NO. 2021-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DECLARING SURPLUS EQUIPMENT AND AUTHORIZING DISPOSITION BY THE CITY MANAGER IN ACCORDANCE WITH THE CITY'S ADMINISTRATIVE PROCEDURES.

- 5. Consider Resolution No. 2021-27, appointing members to the Fire Control Prevention Emergency Medical Services District Board.**

RESOLUTION NO. 2021-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,

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TEXAS, APPOINTING MEMBERS TO THE FIRE CONTROL PREVENTION
EMERGENCY MEDICAL SERVICES DISTRICT BOARD.

Council Member Wasson moved to approve items 1 through 5 on the consent agenda. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

H. REGULAR SESSION

1. Consider Resolution 2021-28, electing a Mayor Pro tem.

With limited discussion, Council Member Wasson moved to nominate James Singleton to serve as Mayor Pro tem. Council Member Wubbenhorst moved to nominate Michelle Mitcham to serve as Mayor Pro tem.

With no other nominations, Council Member Wasson moved to elect James Singleton as Mayor Pro tem. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2021-28

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

2. Consider Resolution 2021-29, assigning Council Members to serve as liaison to various city committees and boards.

Mayor Warren called the item, stating that the Boards/Committees without liaisons are the Building Board of Adjustments and Appeals, the Golf Course Advisory Committee, the TIRZ 2 Board, and the TIRZ 3 Board. He asked for discussion on the matter, and if there would be any changes in the current assignments. He called upon senior Council Members to state their desire for appointment. Council Member Wubbenhorst is interested in serving on the Golf Course Advisory Committee and Board of Adjustment. Council Member Singleton would like to serve on both TIRZ Boards and vacate his position on the Parks and Recreation Advisory Committee. Council Member Wasson would like to remain with the Planning and Zoning Commission and the Capital Improvements Advisory Committee. Hearing these desires, Council Member Mitcham stated that she is interested in serving on

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the Parks and Recreation Advisory Committee and Council Member Sheppard stated that she will serve on the Building Board of Adjustment and Appeals.

With no further discussion on this item, Council Member Singleton moved to approve Resolution No. 2021-29, assigning Council Members to serve as liaison to various city committees and boards as discussed. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2021-29

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

- 3. Consider Ordinance No. 2021-22, 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; accounting for any potential conflict of laws; providing for a fine in an amount not to exceed five hundred dollars (\$500) for each offense; providing for severability; and, providing an effective date.**

Austin Bless, City Manager, introduced the item. Background information is as follows: At this point in time staff feels we can end the emergency declaration of local disaster due to COVID-19. The three main reasons for this are:

- There does not appear to be any further financial benefit to continuing this declaration.
- There is a wide supply of vaccines readily available for people.
- As of March 29, 2021 everyone 16 years of age and older are eligible for the vaccine.
 - As of mid-April (the most recent data available as of this writing) the Texas Department of State Health Services said nearly 25% of the population in Harris County has been fully vaccinated.
- The Governor has opened all businesses and establishments to 100% capacity.

The Ordinance 2021-13, the latest iteration of the continuation of the emergency declaration will automatically expire on May 18th.

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Any and all orders from the Governor and County Judge would still be in effect. By allowing this order to lapse it would have the following impact on Jersey Village and our residents:

- Processing and convenience fees for credit card payments would resume.
- Late fees on utility bills would no longer be waived.
- Water disconnections would resume.
- The penalties for violating the sign ordinance would no longer be waived.

For all of these items we would work to educate the community, residents and businesses, about these changes and staff would allow a grace period for the sign ordinance penalties and water disconnections.

The ordinance attached would extend the Mayoral Declaration of Local Disaster, if the Council chooses to do so.

Hearing no motion on the matter, the Ordinance failed for lack of a motion.

ORDINANCE NO. 2021-22 – FAILED – NO MOTION

AN ORDINANCE OF THE CITY COUNCIL 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; ACCOUNTING FOR ANY POTENTIAL CONFLICT OF LAWS; PROVIDING FOR A FINE IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

4. Consider Resolution No. 2021-30, setting a date and time to conduct the 2021-2022 Council/Staff Budget Retreat.

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

Every year, after the May Election, Staff meets with Council in a retreat setting to discuss the financial condition of the city. During this retreat, in addition to receiving information about the overall condition of the City, Council receives information about:

- Accomplishments achieved since the last retreat
- Supplemental requests being made for the upcoming budget year
- Short-term concerns for the City with a review of both short and long-term incentives
- Departmental Information

Proposed dates for the annual Council/Staff Budget Retreat are the:

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- May 14, 2021 – 1:00 p.m. to 5:00 p.m.
- May 15, 2021 – 8:00 a.m. to 12:00 noon
- June 4, 2021 – 1:00 p.m. to 5:00 p.m.
- June 5, 2021 – 8:00 a.m. to 12:00 noon

This item is to select a date for the annual Council/Staff Budget Retreat.

Council discussed the dates proposed and the importance of the budget meeting. Residents were encouraged to attend to get a true picture of the City's goals and plans for the coming year.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2021-30, setting May 15, 2021 from 8:00 a.m. to 12:00 p.m. as the date and time to conduct the 2021-2022 Council/Staff Budget Retreat. Council Member Singleton seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2021-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING A DATE AND TIME TO CONDUCT THE 2021-2022 COUNCIL/STAFF BUDGET RETREAT.

5. Consider Resolution No. 2021-31, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board for the City of Jersey Village Tax Increment Reinvestment Zone No. 3 (TIRZ No. 3).

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

On March 15, 2021, City Council created Tax Increment Reinvestment Zone No. 3 along with a advisory board of directors to assist City Council in the operation and administration of the Zone.

The Tax Increment Reinvestment Zone Board shall consist of nine (9) Directors, as follows:

1. The member of the State Senate in whose district TIRZ No. 3 is located is a member of the Board, and the member of the State House of Representatives in whose district TIRZ No. 3 is located is a member of the Board, except that either may designate another individual to serve in the member's place at the pleasure of the member.
2. Each taxing unit that levies taxes on real property in TIRZ No. 3 may appoint one (1) member to the Board if the taxing unit has approved the payment of all or part of the

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tax increment produced by the taxing unit into the tax increment fund for TIRZ No. 3. If a taxing unit chooses to not participate, then the City Council (the “Council”) of the City of Jersey Village (the “City”) may appoint a number of members to the Board such that the Board comprises nine (9) members.

Staff has reached out to members of the State Senate and State House of Representatives whose districts are located in the TIRZ No. 3. As of this writing Representative Rosenthal has said he will participate, but we have not yet heard from Senator Bettencourt.

Additionally, Staff has reached out to the following taxing units that levy taxes in the TIRZ No. 3, and have had no response concerning interest in participating in the Zone:

- Lone Star College;
- Harris County;
- Harris County Flood Control District;
- Harris County Port Authority;
- Cy Fair Independent School District; and
- Harris County Department of Education.

Staff requested to hear from these entities by April 12 if they would like to participate, or if they needed more time to consider participation. Given that Staff has had no response, at this time the City Council will need to appoint seven (7) Directors to serve on the TIRZ No. 3 Board.

In order to serve on the TIRZ No. 3 Board, with the exception of the State Senator and State House Representative members, all other Board members shall be at least eighteen (18) years of age and own real property in TIRZ No. 3, or be an employee or agent of a person that owns real property in TIRZ No. 3. Any Board member who ceases to possess such qualifications shall automatically be deemed to have vacated their membership on the Board.

The initial Board member appointments by the Council or a taxing unit shall be as follows:

1. No more than four (4) members shall be appointed for a term expiring December 31, 2021.
2. No more than five (5) members shall be appointed for a term expiring December 31, 2022.

All appointments for Board members made after the initial appointments shall be for a term of two (2) years starting on January 1, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term.

The authority and responsibility of the Board expressly includes:

1. Making recommendations to the Council regarding the administration of TIRZ No. 3;

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2. Making recommendations to the Council regarding agreements that are necessary or convenient to implement the TIRZ No. 3 project plan and financing plan;
3. Making recommendations to the Council regarding agreements with local governments or political subdivisions for management of TIRZ No. 3;
4. Making recommendations to the Council regarding the expenditure of funds related to development and redevelopment of land within TIRZ No. 3;
5. Acting as the lead entity in working with other City boards and commissions regarding incentives, regulations, infrastructure, and all other physical and economic development decisions related to TIRZ No. 3; and,
6. Providing an annual progress report to the Council, and as requested by the Council.

On April 19, 2021 City Council appointed four (4) members to the term ending December 31, 2021 and one (1) member to the term ending December 31, 2022.

Applications from individuals interested in appointment to serve as a Director on the TIRZ No. 3 Board of Directors are included in the meeting packet. This item is to consider those applications and appoint Two (2) Directors to serve on the TIRZ No. 3 Board of Directors for the term ending December 31, 2022.

City Council discussed the applicants. Most felt it is important to have new names and faces serve on these boards.

With limited discussion on the matter, Council Member Wasson moved to appoint Visente Lopez and Modesto Jaramillo to serve on the TIRZ No. 3 Board of Directors for the term ending December 31, 2022. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2021-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO SERVE AS DIRECTORS ON THE TAX INCREMENT REINVESTMENT ZONE BOARD FOR THE CITY OF JERSEY VILLAGE TAX INCREMENT REINVESTMENT ZONE NO. 3.

6. **Consider Resolution No. 2021-32, accepting the resignation of Crime Control and Prevention District Board Members Andrew Mitcham and Greg Holden, and appointing members to the Crime Control and Prevention District.**

Lorri Coody, City Secretary, introduced the item. Background information is as follows:

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The Jersey Village Crime Control and Prevention District (“CCPD”), organized and existing under Chapter 363, Texas Local Government Code, is governed by a board of directors of seven members.

In the past, it has been the practice of City Council that the CCPD Board of Directors be composed of the City Council and one resident, or in other words, residents of the District in accordance with LGC Section 363.063. Members appointed in this manner serve a two-year term of office that expires September 1, requiring out-going City Council Members to resign their positions.

On the other hand, the newly created Fire Control Prevention and Emergency Medical Services District Board of Directors will be composed of the City Council and the City Manager with terms running concurrent with the terms of office. Keeping this in mind, this item is for City Council to consider a similar appointment process for the CCPD.

LGC Section 363.1015(a) provides that City Council by resolution may appoint the governing body's membership as the board of directors of the CCPD district concurrent with their terms.

If approved, the appointment process for these two Boards will be the same and the process will be more efficient. If approved, the members and terms for the CCPD Board would be as follows:

Bobby Warren – Term ending May 2023	James Singleton – Term ending May 2022
Drew Wasson – Term ending May 2022	Gary Wubbenhorst – Term ending May 2022
Sheri Sheppard – Term ending May 2023	Austin Bleess – Term ending upon separation
Michelle Mitcham – Term ending May 2023	

If the Council chooses to continue with tradition, the members and terms would be as follows:

Bobby Warren – Term ending Sep 2023	James Singleton – Term ending Sep 2022
Drew Wasson – Term ending Sep 2022	Gary Wubbenhorst – Term ending Sep 2022
Sheri Sheppard – Term ending Sep 2023	Resident Appointee – Vacant
Michelle Mitcham – Term ending Sep 2023	

After discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-32, accepting the resignation of Crime Control and Prevention District Board Members Andrew Mitcham and Greg Holden, and appointing the following members to the Crime Control and Prevention District:

Bobby Warren – Term ending May 2023	James Singleton – Term ending May 2022
Drew Wasson – Term ending May 2022	Gary Wubbenhorst – Term ending May 2022
Sheri Sheppard – Term ending May 2023	Austin Bleess – Term ending upon separation
Michelle Mitcham – Term ending May 2023	

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Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING THE RESIGNATION OF CRIME CONTROL AND PREVENTION DISTRICT BOARD MEMBERS ANDREW MITCHAM AND GREG HOLDEN, AND APPOINTING MEMBERS TO THE CRIME CONTROL AND PREVENTION DISTRICT.

- 7. Consider Ordinance 2021-23, amending the Capital Replacement Fund Budget for the Fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$50,466.25 by increasing line item 07-72-6572 (Special Equipment) and at the same time approving a proposal to install a fiber conduit path across the Jersey Meadow Golf Course for future use; and authorizing the City Manager to execute all documents with Greenscapes Six for conduit installation services at the Jersey Meadows Golf Course.**

Bob Blevins, IT Director, introduced the item. Background information is as follows:

This project is to have an underground fiber conduit ran across the Jersey Meadow Golf Course while the Berm and Irrigation work is in progress at the Golf Course. Currently the golf course pro shop and maintenance barn are connected to the city network via a point-to-point wireless network. This conduit would provide a path for a future fiber cable running across the golf course from the golf course maintenance barn gate on Rio Grande, following the drive to the maintenance barn and then proceed to the golf pro shop. There would also be a conduit path going west from the pro shop to Jones Rd for further future use. Pull boxes capable of withstanding light vehicles (golf cart, mower, tractor) would be positioned appropriately along the path. The project also allows for repair to Cart Paths that would be encountered and disrupted during the process. The approximate distance of this path is 6,200 FT.

This conduit path would be used in the future to run a fiber cable from the police station at 16400 Lakeview to the golf maintenance barn and the Golf Pro Shop, connecting both buildings to the internal city fiber network, improving bandwidth and providing more reliable data and voice communications.

The proposal from Greenscapes Six is \$50,466.25.

After discussion on the project and the location/path of the conduit, Council Member Sheppard moved to approve Ordinance 2021-23, amending the Capital Replacement Fund Budget for the Fiscal year beginning October 1, 2020 and ending September 30, 2021 in

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the amount not to exceed \$50,466.25 by increasing line item 07-72-6572 (Special Equipment) and at the same time approving a proposal to install a fiber conduit path across the Jersey Meadow Golf Course for future use; and authorizing the City Manager to execute all documents with Greenscapes Six for conduit installation services at the Jersey Meadows Golf Course. Council Member Singleton seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CAPITAL REPLACEMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 IN THE AMOUNT NOT TO EXCEED \$50,466.25 BY INCREASING LINE ITEM 07-72-6572 (SPECIAL EQUIPMENT) FROM THE CAPITAL REPLACEMENT FUND BALANCE AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH GREENSCAPES SIX FOR FIBER CONDUIT INSTALLATION SERVICES AT THE JERSEY MEADOWS GOLF COURSE.

- 8. Consider Ordinance No. 2021-24, amending the Golf Course Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$80,000, by increasing line item 11-87-7010 (Golf Course Capital Improvement) from the Golf Course Fund Balance for a Golf Course restroom and other amenities.**

Robert Basford, Parks and Recreation Director, introduced the item. Background information is as follows:

The golf course restroom was budgeted in 2018 as an additional amenity to the overall berm project. Our existing restroom on course hole 7/16 is outdated and experiences numerous breakdowns a year.

This project will construct a new restroom comprised of two stalls per side and one sink per side along with a chase for supply storage. It will also feature a weather shelter that will allow for carts to drive under just outside of the restroom trail. This budgeted amount also includes separate necessary amenities such as the cart path that runs across course hole 7 fairway with a turnaround as well as the sanitary supply line. This \$80,000 is the turnkey not to exceed estimate for the entire project described.

This restroom project is a much-needed improvement that will be welcomed by all stakeholders.

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There was discussions that restroom on hole 4 will be removed. It is not currently working. Some members felt that the proposed restroom is consistent with what you will find at other courses. There was discussion about how long the structure will last. Mr. Basford felt that the structure will last a decent amount of time given that the current restroom has been there for quite some time.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2021-24, amending the Golf Course Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$80,000, by increasing line item 11-87-7010 (Golf Course Capital Improvement) from the Golf Course Fund Balance for a Golf Course restroom and other amenities. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2021-24

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GOLF COURSE FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 IN THE AMOUNT NOT TO EXCEED \$25,000 BY INCREASING LINE ITEM 11-87-7010 (GOLF COURSE CAPITAL IMPROVEMENT) FROM THE GOLF COURSE FUND BALANCE FOR A GOLF COURSE RESTROOM AND OTHER AMENITIES.

- 9. Consider Resolution No. 2021-33, authorizing the City Manager to authorize work to complete all three phases of the new golf course restroom, from All Woodworks construction for the bathroom structure, Greenscapes Six for the concrete path and Mickie Service for the sanitary supply line.**

Robert Basford, Director of Parks and Recreation, introduced the item. Background information is as follows: The golf course restroom was budgeted in 2018 as an additional amenity to the overall berm project. Our existing restroom on hole 7/16 is outdated and experiences numerous breakdowns a year.

Phase one of the project is to construct a new restroom comprised of two stalls per side and one sink per side along with a chase for supply storage. Phase One of the project has a not to exceed estimate from All Woodworks Construction of \$49,900. In accordance with the City's purchasing policy, we received three additional options for the restroom project from a company on the state contract. All came in well over \$100,000. Accordingly, staff recommends that the work be done by Woodworks Construction.

Phase two of the project will feature a weather shelter that will allow for carts to drive under just outside of the restroom trail. This project includes separate necessary amenities

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such as the cart path that runs across hole 7 fairway with a turnaround as well as the sanitary supply line. The not to exceed estimate for the cart path from Greenscapes Six is \$12,000. Greenscapes Six is a member of the State Buy Board (member #4582).

Phase three of the project provides for the sanitary supply line for the restroom. The City has a standing contract with Mickie Services for such work. The not to exceed estimate for the sanitary supply line from Mickie Services is \$18,000.

This \$80,000 is the turnkey not to exceed estimate for the entire project described.

This restroom project is a much-needed improvement that will be welcomed by all stakeholders.

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-33, authorizing the City Manager to authorize work to complete all three phases of the new golf course restroom, from All Woodworks construction for the bathroom structure, Greenscapes Six for the concrete path and Mickie Service for the sanitary supply line. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2021-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO AUTHORIZE WORK TO COMPLETE ALL THREE PHASES OF THE NEW GOLF COURSE RESTROOM, FROM ALL WOODWORKS CONSTRUCTION FOR THE BATHROOM STRUCTURE, GREENSCAPES SIX FOR THE CONCRETE PATH AND MICKIE SERVICE FOR THE SANITARY SUPPLY LINE.

10. Consider Resolution No. 2021-34, authorizing the City Manager to enter into an Agreement with Brookstone L.P for the Construction of a New City Hall.

Austin Bleess, City Manager, introduced the item. Background information is as follows;

Tonight we have the agreement for the construction of the City Hall project for Council action. The construction would take place in Village Center as part of the new mixed use development.

Collaborate Special Projects has contracts in place with the other partners in the development to sell the land to them. All land transactions from the city to Collaborate and Collaborate to the other groups are scheduled to occur before June 14th. Construction of the Wellness component of the development is scheduled to break ground in June, and

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another portion of the development in July. Due to materials the City Hall portion would break ground in August. It is anticipated to be a 12 month build which would mean we would likely move into the new building in September 2021.

The costs of this project have increased since the project was originally estimated. The full Guaranteed Maximum Price is part of the agreement and is at \$10,016,228. The biggest driver of this increase is the price of steel, wood, and concrete. Those three alone are approximately \$720,000.

We have \$8,000,000 set aside for this project. Staff proposes to use funds from the Court Restricted fund, currently \$54,000 available, for to help cover the court portion of the project. We further propose to use PEG funds in the amount of \$98,850 for the Council Chambers audio/visual for broadcasting purposes. The remaining amount could be budgeted for in FY2022, as that starts on 10/1/2021.

Due to the current volatility of the steel market, Brookstone plans to delay commencement of the project until the delivery date of the joist, decking and structural steel can be confirmed and will not cause a delay in construction activities. Due to this, commencement of work is currently anticipated to be approximately September 15, 2021.

Council asked Saul Valentine with Collaborate Special Projects to address the Council about the contact and answer questions.

There was discussion about approving the contract without Collaborate purchasing the land for the project. Background information about the project timeline was discussed and the obstacles encountered along the way. A closing date in June was mentioned. Mr. Valentine stated that the closing in June will not be for \$5.2M or the \$2.9M, which are the amounts that the City paid for the two pieces of property. He explained that because the rail portion of the project failed some time ago, project funding will come from each component as they enter the project and not for the whole at the onset. Therefore, the first component is Section K, for \$500,000, a wellness center set to close in June and be completed by the end of 2021. Section F, the office building, is set to close in July and the retail section will follow within the next three (3) months. There was concern that some of these vendors/components will not follow through with this schedule. Mr. Valentine explained that he has had close communication with these components.

There is concern about City Hall being required to go first without the investment of the other components up front. Some members are still confident that all components will invest, but are concerned about going first without the same level of buy in from others.

There was discussion about the letter of intent on behalf of these components. In the committee meetings, the City made it clear that we need to have something more concrete than a letter of intent. It was explained to Mr. Valentine that the City has held this property for quite some time and this has saved the developers capital. It was proposed that perhaps Collaborate should put up \$100,000 to demonstrate commitment. Other members felt that

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half of the project cost should be placed. It was also discussed that perhaps it is not just the money, but more importantly, it is the commitment of the developers and the sub developers so that the project completes successfully. Most members felt that we need to see proof of commitment and investment by the developers. Most members are committed to the project, but are not ready to be the first to build in Village Center.

Some members felt that we must decide what we want. It was pointed out that once Section K or another Section closes on the project, then perhaps we can decide to move forward with the construction contract for City Hall.

There was concern that by waiting for others to join, the cost of the project will increase over time. It was pointed out that since last month the projected cost of the project has increase by \$500,000. It was suggested that perhaps a compromise can be reached that will enable both parties to move forward.

The schedule for component closing dates was discussed. The wellness center in June, the office building in July and the retail component in August. Mr. Valentine stated that all sections are on track. All of these Sections are in due diligence. The time line has not shifted since the last few months.

There was discussion that perhaps a contingency could be added to the contract that would guarantee the participation of the other components.

Ryan with Brookstone addressed City Council. There was discussion about the increase in materials/steel costs. It was stated that the costs could go up \$3 to \$5K per month. Ryan stated that these times are unprecedented. He explained that at some point the escalation and volatility will stop, but it is unsure when the costs will start coming back down. This involves concrete, steel, wood, etc. At this point it is difficult to get vendors for these products to hold prices for any extended time. The vendors for these products were discussed.

Council spoke to the concern for the amount of costs the City will incurred early on in moving forward with the project. Mr. Ryan explained that during the first month, not a lot happens in the actual procurement of materials since it is mostly paperwork. Therefore, should the City terminate the contract, on June 14, the estimated cost that the City would have spent will be around \$250,000. He went on to say that the longer the City delays in moving forward with the project, project costs increase. The figure through August will be much higher. To address this, Ryan suggested that we could add a material escalation clause in the contract to mitigate increasing costs.

Some members restated that it is important to not enter into this agreement until we have commitment because all vendors are dealing with these increasing costs as well. So the best time to jump in is when others jump in. We do not want to be the first to begin. Therefore some members felt that we should take no action on this item and revisit it at the June City Council meeting or even at a special meeting if needed.

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The Council is committed to the project but is concerned about being premature.

Discussion was had about when is the best time for the City to commit with signing the construction contract. It was the consensus of Council that perhaps waiting until July or August to approve is best. Brookstone explained that pushing out approval of the contract will cause an increase in pricing. The pros and cons of delaying approval were discussed in detail.

It was the consensus of Council to take no action on this item.

RESOLUTION NO. 2021-34 – NO ACTION TAKEN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BROOKSTONE L.P. FOR THE CONSTRUCTION OF A NEW CITY HALL.

I. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

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

Council Member Wubbenhorst: Council Member Wubbenhorst congratulated to the new members on City Council.

Council Member Singleton: Council Member Singleton also congratulated the new members. He looks forward to Village Center. He reminded everyone of the July 4th parade. He cautioned residents about making remarks on social media. He discouraged comments by residents' attacking Council Members.

Council Member Wasson: Council Member Wasson welcomed the new members, stating that it is great to have their perspective on matters. He thanked the residents who joined the meeting and stayed. He wished all mothers Happy Mother's day. He stated that May 17 is the deadline for tax disputes.

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Council Member Sheppard: Council Member Sheppard thanked former Mayor Mitcham and the rest of the residents who stayed for this meeting. She appreciates citizen input.

Council Member Mitcham: Council Member Mitcham thanked all for their input and constructive feedback. She appreciates the back and forth by City Council. She thanked all for electing her.

Mayor Warren: Mayor Warren welcomed the new members. He thanked all who voted for him to represent the City. As we move forward with Economic Development, he will do his best to market the City to attract desirable businesses. He encouraged public feedback and dialog on important issues. It is welcomed.

I. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:40 p.m.



Lorri Coody, City Secretary