

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 20, 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 Warren at 7:00 p.m. with the following present:

Mayor, Bobby Warren	City Manager, Austin Bless
Council Member, Drew Wasson	City Secretary, Lorri Coody
Council Member, Sheri Sheppard	City Attorney, Justin Pruitt
Council Member, Michelle Mitcham	
Council Member, James Singleton	
Council Member, Gary Wubbenhorst	

Staff in attendance: Mark Bitz, Fire Chief; Isabel Kato, Finance Director; Kirk Riggs, Chief of Police; and Harry Ward, Director of Public Works.

Robert Basford, Director of Parks and Recreation, did not attend this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. **Prayer and Pledge by:** Michael Stembridge

C. PRESENTATIONS

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

Austin Bless, City Manager, presented the September employee of the month award to Stacy Jones.

2. **Proclamation recognizing Tuesday, October 5, 2021 as National Night Out in Jersey Village to provide a unique opportunity for the City of Jersey Village to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts.**

Bobby Warren, Mayor presented the proclamation for National Night Out to Chief of Police Riggs.

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.

Merrilee Beazley, 14910 Lakeview Drive, Jersey Village, Texas (832) 641-5967 – Ms. Beazley gave background information about her expertise in various fields. She stated that she has not conceded the May 2, 2021 election to Mayor Warren. She stated that she has researched the Arizona protocol. She is suspicious as to why the City Secretary sent her request to see the May 2, 2021 ballots to the Attorney General. She does not understand why the City is giving away free rounds of golf. She went on to give background information about the Arizona protocol. She also

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mentioned the recent petition filed concerning the location of City Hall. She wanted the election investigated.

Andrew Mitcham, 15810 Acapulco Drive, Jersey Village, Texas (713) 202-6474 – Mr. Mitcham spoke to City Council about his business, which is located in Jersey Village. He told the Council that recently, his business, Senate Avenue Brewery, participated in a vaccine drive by providing a space within his business at which individuals could receive the vaccine. The drive was successful. Mr. Mitcham stated that should anyone want to get the vaccine he can help. He also addressed the Council about a business within the City that was not able to get a permit issued quickly in order to meet extenuating circumstances. He felt that the City should consider an expedited permitting process in these rare instances. This particular business had to shut down for many days waiting on the permit and lost revenues as a result. He felt that such a process could benefit the City. He mentioned to City Council that his business was broken into this past weekend. He thanked the Police Department for their service and the quick manner in which they found a suspect for this crime.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 206-1184 – Mr. Fields told City Council that he loves being able to drive his golf cart in the City. He also spoke to Code Enforcement. He stated that recently he has noticed a difference and is thankful even though we still have room for improvement. He listed several areas to be looked into by the City. He also spoke to the speed limit signs, stating that they need to be synchronize with the actual speed limit. Currently, they do not match. He also stated that the bushes on Village Green are blocking the view of traffic and need trimming. He also spoke to the tax increase. He spoke to the increases in employee salaries in the recent budget, stating that he feels that salaries should not be increased if City Council is not willing to give residents the 20% homestead exemption. He supports getting the vaccinated for COVID. He gave a shout out to the workers in Public Workers. He does not take their service for granted and appreciates all that they do.

Zack Maher, 16426 Jersey Drive, Jersey Village, Texas (713) 417-2198 – Mr. Maher spoke to City Council about his background in firefighting services. He feels that the Jersey Village Fire Department is seriously understaffed. While there are many volunteers on the books, there are not enough volunteers making calls. He explained the problems that the Department encounters when there is not enough manpower to fight fires. He explained the “two in two out rule.” Because there is not enough volunteers responding, fire fighters that do respond must wait for Cy Fair Fire Department to arrive in order to abide by the “two in two out rule.” The arrival of Cy Fair can take as long as 12 minutes, which causes many issues to which he explained. He felt that while volunteer fire fighting is a good thing, it does seem to be lacking in Jersey Village.

Council Member Singleton asked about what is meant by defensive mode. Mr. Maher explained defensive mode and stated that if the firefighters could have proceeded with an offensive mode, the building in question would still be standing.

Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832-689-9878) – Ms. Henao spoke to City Council about the history of Jersey Village. She told City Council the following in connection with her research:

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My name is Kimberlee Henao and I live at 15601 Singapore Lane. My husband and I bought our house in September 2020 and after learning of the original residents, I've become very interested in the history of our Village and have been researching with the help of someone who grew up here from 1956 to 1970. His personal experiences of the development of Jersey Village are invaluable and I want to share so fellow Villagers can appreciate our community's history.

Clark Wilcox Henry ran the F&M Dairy Ranch from 1938 to 1948. After living in Colorado Springs for a few years, the family returned to the owned land with ideas of developing for others to reside. Clark met LeRoy Kennedy at the Garden Oaks Baptist Church; and with LeRoy's father's construction business, N.E. Kennedy & Son, they began planning the 1,236 acres into a model suburban city. As the homesteads were being developed, the City was to also include a grocery store, gas station, city hall, church, park, and a country club golf course - with homeowners having automatic membership.

LeRoy Kennedy lived in Garden Oaks and his next door neighbor was Thomas Patrick "Buddy" Wall for which "Wall Street" was named. In 1951 the Kennedy family moved to another house and the new next door owner was Bob Simmons, a pro golfer and course designer, which Buddy befriended as he was quite a fan of the sport himself. Buddy introduced Bob to Clark and LeRoy and they began planning the golf course which had the first nine holes completed and opened in early 1956 with the second nine holes laid out to be finished. This being his first course design, Bob went on to have a distinguished career as an international designer. Those also involved in the golf course development and usage were Leon Burnham, Chris Robinson, Jim Bennit, Barney Clark, Jim Dickery, and Carlton Gipson. Many of those involved also moved to Jersey Village as homes were being built on Lakeview, Jersey, and Acapulco.

Unfortunately, as this area of the Houston region was slower to grow, the success of many amenities could not be sustained, so Clark turned the golf course into public access. In the early 1960's the grocery store (where the Joe Meyers pre owned parking lot is currently located) became a skating rink for the Cy-Fair youth, along with a swimming pool in the area of the current golf course clubhouse. Buddy Wall was the golfing "starter" on weekends while spending most of his career in service of Jersey Village as Director of Public Works until he passed away in 1979. His son, Michael, enjoyed growing up here and being of assistance to Clark and Bessie with the swimming pool, skating rink, and, along with Clark's son, Raymond, diving for golf balls in the lakes to have them resold at the clubhouse.

Clark passed away in February 1972 and in 1974 the golf course was sold to Cameron Iron Works for their employees to enjoy and it was also expanded to 36 holes. The City of Jersey Village took ownership of the course again in 2000. It has gone through many updates and improvements such as the greens and the recent berm project. With mentions in golfing publications on its course attributes and difficulties, the Chronicle has called it "the best kept secret in Houston." Michael Wall wrote to me "for us youngsters, it was a wonderful community in which to grow up. It had a small town atmosphere and was imbued with great small town values of community, close friends, and care for others."

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It is important to honor the unique history of Clark Henry's jersey cow dairy farm turned suburban housing oasis with golfing among mature oak trees. Time will continue on with more improvements to occur for the Villagers of this quaint town on the edge of Houston.

James MacDonald, 16306 Acapulco, Jersey Village, Texas (832) 253-6167 – He gave information about the hard times we all experienced during September. He went on to name Senate Avenue Brewery as September's citizen of the month. He gave background information on the actions taken by Senate Avenue Brewery. He also recognized five children serving neighbors in Jersey Village: Joseph and Samuel Brennen, Jane Mitcham, and Bryden and Owen MacDonald. He explained the activities they accomplished. He also recognized Ava Bartholomew and Liam Taylor who also helped.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to City Council about the agendas at the back of City Council, stating that they were not current. He also spoke to the E-127 project. He spoke to the trails that are planned. He explained that the project covers the distance from the East of Rio Grande to Senate and across Senate about halfway down to Elwood until it meets Lakeview. He wonders if the project plan has trails planned for the segment that runs from the east of Rio Grande to Lakeview and Equador. He is concerned because the residents in Jersey Village with homes that backup to the channels do not want these trails. He stated that this sentiment was support with a petition that he personally circulated. At the close of Mr. Maloy's comments, Mayor Warren stated that there are no plans for trails being built in his area of concern. Mr. Maloy closed his comments with complaints about not being able to use the golf course because it is fenced and not accessible.

E. SUBSTANDARD STRUCTURE – PUBLIC HEARING AND RELATED ITEM

- 1. Conduct a Public Hearing pursuant to Section 34-253 of the Code, so that the owner or the owner's representatives for the property located at 15905 Juneau Lane, Jersey Village, Texas may appear and show cause 1) why such building or structure should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the building or structure.**

Mayor Warren opened the public hearing at 7:43 p.m. pursuant to Section 34-253 of the Code, so that the owner or the owner's representatives for the property located at 15905 Juneau Lane, Jersey Village, Texas may appear and show cause 1) why such building or structure should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the building or structure.

City Secretary, Lorri Coody, confirmed that posting and notice requirements have been met.

Mayor Warren then called upon Michelle Killebrew from the Building Official's Office to give her report detailing the structural deficiencies and recommending that the structure located at 15905 Juneau Lane be repaired or demolished. Ms. Killebrew gave her report that was included in the meeting packet. She provided information about her

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communication with the owner, stating that they understand the garage needs to be addressed. She told City Council that she is concerned that she has not been able to see the inside of the home in order to determine any repairs that may be needed in that area.

After completing her report, City Council asked several questions about the main structure. Some Members were concerned about the roof and other issues with that structure. Ms. Killebrew stated that she needs to get inside the home with either the owner's permission or a warrant to make any further determinations.

The Mayor then called upon the lienholders, mortgagees, or owners of the property present giving them an opportunity to be heard and to address the nuisance issues as they relate to the minimum standards, including the scope of the work and financial capability of repairing the structure located at 15905 Juneau Lane in Jersey Village, Texas.

While none were present, City Manager Bless stated that he had received an email from the owner. He read the email aloud for City Council.

The Mayor then called upon everyone else desiring to speak at 7:49 p.m. With no one desiring to speak, Mayor Warren closed the public hearing at 7:49 p.m.

Mayor Warren then called upon the lienholders, mortgagees, or owners of the property for closing comments. None were present.

Mayor Warren then called upon City Council for comments. There were no comments.

2. **Consider Ordinance No. 2021-35, finding that the structures on or about the property located at 15905 Juneau Lane, Jersey Village, Texas, 77040 (the "property") to be substandard and a public nuisance; ordering the owner of the property to abate the substandard structures and public nuisance on the property; authorizing the City of Jersey Village, Texas to demolish the structures on the property if the owner of the property fails to abate the substandard structures and public nuisance on the property; authorizing the City of Jersey Village, Texas to assess a lien against the property for the costs of the demolition; and, making other findings and provisions related thereto.**

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

City Council has heretofore conducted the public hearing in connection with the substandard structure located at 15905 Juneau Lane. City Council must now discuss the evidence presented, in order to determine if the property and the structures on the property located at 15905 Juneau Lane are substandard; and if the conditions of the structures on the property constitute a nuisance and are a hazard to the health, safety, and welfare of the citizens of Jersey Village and likely to endanger persons and property.

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Should City Council find that the Property is in violation of the City's Code and ordinances; a proposed Ordinance was included in the meeting packet for consideration. The proposed Ordinance provides:

1. For a finding that the structures located on the property located at 15905 Juneau Lane are substandard, a nuisance, and a health hazard;
2. That the owners of the property abate the substandard and dangerous structures;
3. For provisions should the owners of the property fail to repair, remove or demolish the substandard structures; and
4. For administrative procedures following passage of the Ordinance.

After the introduction, City Attorney Pruitt explained the process and what the City Council can and cannot do in connection with this Ordinance. He gave information on the time frames involved for repairs. It was noted that based upon the report the garage is not repairable. Therefore, City Council must find it substandard and set a time for which it must be demolished.

Some members wanted to know when a fence could be placed around the property. Mr. Pruitt stated that it could be built into the Ordinance or the City could work with the owner to get the fence placed. Some members stated that the home has been vacant for quite some time and is in disrepair. There were questions about demolishing the garage and how the City can get access into the home. City Attorney Pruitt stated that the best way to gain accesses inside the home is to work with the owner, but for access to the garage, we can move forward.

Others wanted to know if we can order the demolition of the garage tonight and then order other terms for inside the home at another meeting. City Attorney Pruitt explained that for now, we need to address the garage and address other issues at a later time after working with the owner. If this does not work, we will need to get an administrative warrant to enter the home.

The proposed Ordinance was discussed. Some felt the Ordinance needs to address the garage only and not generic buildings or structures. Some members felt we should give 60 days to remedy. Mr. Pruitt stated that the proposed Ordinance is generic and needs to address those items that already have been addressed by the owner and those that still need to be addressed.

A 90 day time frame was discussed to remedy the garage issue. The Council also discussed options for filing a lien on the property for any monies expended by the City.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance No. 2021-35, finding that the structures on or about the property located at 15905 Juneau Lane, Jersey Village, Texas, 77040 (the "property") to be substandard and a public nuisance; ordering the owner of the property to abate the substandard structures and public nuisance on the property; authorizing the City of Jersey Village, Texas to demolish

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the structures on the property if the owner of the property fails to abate the substandard structures and public nuisance on the property; authorizing the City of Jersey Village, Texas to assess a lien against the property for the costs of the demolition; and, making other findings and provisions related thereto. He further stated in his motion that Section 2 of the Ordinance be amended to reflect 60 days and that EX B reflect the demolition of the garage. Council Member Mitcham seconded the motion.

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

Nays: None

The motion carried.

ORDINANCE NO. 2021-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, FINDING THAT THE STRUCTURES ON OR ABOUT THE PROPERTY LOCATED AT 15905 JUNEAU LANE, JERSEY VILLAGE, TEXAS, 77040 (THE “PROPERTY”) TO BE SUBSTANDARD AND A PUBLIC NUISANCE; ORDERING THE OWNER OF THE PROPERTY TO ABATE THE SUBSTANDARD STRUCTURES AND PUBLIC NUISANCE ON THE PROPERTY; AUTHORIZING THE CITY OF JERSEY VILLAGE, TEXAS TO DEMOLISH THE STRUCTURES ON THE PROPERTY IF THE OWNER OF THE PROPERTY FAILS TO ABATE THE SUBSTANDARD STRUCTURES AND PUBLIC NUISANCE ON THE PROPERTY; AUTHORIZING THE CITY OF JERSEY VILLAGE, TEXAS TO ASSESS A LIEN AGAINST THE PROPERTY FOR THE COSTS OF THE DEMOLITION; AND, MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

F. CITY MANAGER’S REPORT

City Manager Bless gave the following report:

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – July 2021, General Fund Budget Projections as of August 2021, and Utility Fund Budget Projections – August 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**

G. CONSENT AGENDA

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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.

Each Consent Agenda item appears below with background information. No items have been pulled by City Council for discussion. Accordingly, the vote on Items 1 through 9 is found at the end of the Consent Agenda.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on August 16, 2021.**
- 2. Consider Resolution No. 2021-55, reviewing and approving the investment policy and investment strategies used for city funds in compliance with the Texas Government Code.**

Background information for this item is as follows: The Texas State Legislature passed the Public Funds Investment Act in 1994 in response to financial crises in California caused when a public agency invested heavily in risky funds. To ensure public funds in Texas would not be placed in a similar situation, the act was drafted, defining the means and limitations public agencies must comply with before investing the funds. All local and state governments are bound by provisions dictated by the Public Fund Investment Act. All agencies covered by the Public Funds Investment Act must write an investment plan. This plan must address the safety of the investment and also list the types of funds into which the agency is entitled to invest. The Public Funds Investment Act places several requirements on investments made by public agencies. One of the allowable investment tools are the investment pools. All investment pools must be continuously rated at AAA or AAA-m by nationally recognized ratings agency. In the case of the City of Jersey Village, we invest in TexPool and in the City's depository bank Wells Fargo. Tex Pool currently provides investment services to over 2,000 communities throughout the State of Texas and it is also rated AAA-m by Standard & Poor's. This rating is the highest rating a local government investment pool can achieve.

Furthermore, The Texas Government Code, Public Funds Investment Act Section 2256.005(e) requires that Council review the City's investment policy and investment strategies not less than annually, and that Council adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

The investment policy submitted for Council Review with this item contains no changes from the policy last reviewed and approved by Council on September 21, 2020.

Staff recommends that the investment policy and investment strategies be reviewed and approved in accordance with the Public Funds Investment Act.

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RESOLUTION NO. 2021-55

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, REVIEWING AND APPROVING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES USED FOR CITY FUNDS IN COMPLIANCE WITH THE TEXAS GOVERNMENT CODE.

3. Consider Resolution No. 2021-56, appointing Dr. Anh Dang as Health Officer for the City of Jersey Village.

Background information for this item is as follows: State law requires that a city appoint to office a City Health Officer for a two year term and should be reappointed at the end of the term. Dr. Anh Dang, Center Medical Director for Concentra Medical Centers has agreed to serve in this capacity.

Staff respectfully recommends the approval of the reappointment of Dr. Anh Dang of Concentra Medical Centers for a term to expire September 30, 2023.

RESOLUTION NO. 2021-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING CITY HEALTH OFFICER.

4. Consider Resolution No. 2021-57, approving the 2021 Flood Insurance Assessment.

Background information for this item is as follows: As part of the Community Rating System (CRS) program the City of Jersey Village annually conducts a Flood Insurance Assessment (FIA). A FIA is an analysis of a community's level of flood insurance coverage that identifies where increased coverage would be beneficial.

As part of this the City has collected information form the Community Information System on four main topics. Those topics are:

1. Insurance Overview
2. Policies by building occupancy
3. Policies by FIRM Zone
4. Pre- and post-FIRM policy summary

Overall the Jersey Village has 60.3% of its buildings covered by flood insurance. Of the buildings in the SFHA the coverage rate is 75.4%. The rates are not bad; however, given the flooding our region has experienced over the past several years these rates could be higher.

Staff concludes that more efforts could be made to bring awareness to the need of flood insurance, especially to those in Zone X. As such staff is recommending more action be

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taken to increase awareness of flood insurance and encouragement of people to buy it. Staff will put more information about flood insurance in the JV Star and similar citywide outreaches. Staff will also send a letter to everyone in the SFHA.

RESOLUTION NO. 2021-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE 2021 FLOOD INSURANCE ASSESSMENT.

5. Consider Ordinance No. 2021-36, approving the final Financing Plan and Project Plan for the Tax Increment Reinvestment Zone Number 3.

Background information for this item is as follows: On March 15, 2021 the City Council created TIRZ 3 and approved a preliminary Project and Financing Plan for the TIRZ. The TIRZ Board was tasked with creating a final Project and Financing Plan, using the preliminary one as the starting point.

The Board has reviewed the preliminary plan and has made some changes to the plan. That plan is being presented here tonight and being recommended by the Board for approval. Highlights of the changes from the preliminary plan to this plan are below.

As part of the estimated project costs (starting on page 8 of the plan) the Board thought the plan should contemplate all 31 properties taking part in the project. So the costs now consider all 31 homes being a part.

They also felt the price point for which the purchase of the homes was contemplated were low, especially given the current market conditions. As such staff utilized information from Redfin.com and Zillow.com to help find prices that might be more accurate than relying on the HCAD data. This increased the average purchase price contemplated in the budget to \$300,000.

The estimated project costs per home break down as follows:

- \$300,000 – Property Acquisition
- \$25,000 – Demolition costs
- \$3,000 – Administration costs (appraisals, submitting ICC paperwork, etc.)

The total estimated costs of the TIRZ are \$10,168,000. As noted in the Plan “it is anticipated that after some homes are redeveloped with assistance from the TIRZ, the market may prove these redevelopments to be successful without TIRZ assistance”. This would mean these costs may not be as high when they are all completed.

The plan now talks about the possibility of using revolving loan funds from the state to help finance the project. This does not commit to the use of loan funds, but simply adds them as an option that could be considered at a future date.

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Those are the main changes from the Preliminary Plan to this Final Plan. The TIRZ 3 Board recommends the Council approve the plan. Staff recommends approval.

ORDINANCE NO. 2021-36

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FINAL FINANCING PLAN AND PROJECT PLAN FOR THE TAX INCREMENT REINVESTMENT ZONE NUMBER 3.

6. Consider Resolution No. 2021-58, authorizing the City Manager to enter into a contract with Total Energy Solutions Co. LLC for the purchase and installation of generators at the Police Department, Fire Department and Village Drive Water Treatment Plant.

Background information for this item is as follows: Part of our long-term Capital Improvement Plan has been to install a generator at the Village Drive Water Treatment Plant, and to replace the generators at the Police and Fire Departments.

Back in June of 2020 the City Council authorized a grant application to FEMA as part of their Hazard Mitigation Grant Program (HMGP) to request funding for generators at the Police station, Fire Station, and Village Drive Water Plant.

On June 9, 2021 the City was notified that the grant application was funded. The grant was funded at \$213,000, with a local cost share of \$71,000, for a total project cost of \$284,000. The grant will fund new natural gas generators at the Police and Fire Station as Natural Gas is easily accessible there. The Water Treatment Plant will be a diesel Generator. All of the generators will have the automatic transfer switch, NEMA rated enclosures, and include all installation and commission costs.

We went out to bids for these three generators and we opened bids on August 24, 2021. Each bid was scored against a set of criteria as follows:

1. Proposals and specific local experience of the team, including the proposed project manager and key project staff to complete work specified in Scope of Work: **15 POINTS**
2. Firm’s understanding of the Project: **10 POINTS**
3. Firm’s Work Plan to complete the Project: **15 POINTS**
4. Firm’s capacity to perform and deliver the Project in a timely manner: **20 POINTS**
5. Fee Proposal: **40 Points**

The results of the scoring follow:

Total Score	GenSolutions	Total Energy Solution
Qualifications	10	60
Understanding of Project	25	30
Work Plan	15	40
Capacity to Perform	25	80

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Fee Proposal	160	153
Total Score	235	363

Based upon the results of the scoring staff is recommend the City Council award to the bid to Total Energy Solutions at a price of \$260,209.52.

RESOLUTION NO. 2021-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TOTAL ENERGY SOLUTIONS FOR THE PURCHASE AND INSTALLATION OF GENERATORS AT THE POLICE DEPARTMENT, FIRE DEPARTMENT AND VILLAGE DRIVE WATER TREATMENT PLANT.

7. **Consider Resolution No. 2021-59, authorizing the City Manager to enter into a contract with Aguirre & Fields, LP for design services and construction management of the Seattle Street Reconstruction Project.**

Background information for this item is as follows: Earlier this year City staff started the process of designing the Seattle Street reconstruction project. We were hopeful that this could be done in house with existing staff. However, it has become apparent that doing this with existing staff is not going to be feasible in order to meet the timelines that we need to for the federal funding of the water line portion of the project.

As we have recently gone out for RFQ for engineering services for the E127 Project staff has reached out to Aguirre & Fields to inquire about their availability to handle the design and construction management of the Seattle Street project. They have reviewed the work done to date by staff and estimate the work is about 50% complete. Staff is recommending the City engage them to complete the remainder of the work and the construction management.

Their experience in working on projects that utilize federal funds and their project management was a key factor in staff making this recommendation. Their staffing and availability to meet the deadlines that we require, while utilizing the work we have already done, was also a key point in this. Our timeline for this project is to have the project out to bid in November, open bids in early December, and for Council to award a bid at the December Council meeting. Construct would likely start in February, which would allow plenty of time for the federal funding to be utilized before the deadline for that.

Staff recommends approval of Resolution 2021-59, authorizing the City Manager to enter into a contract with Aguirre & Fields for design services and construction management of the Seattle Street Reconstruction Project.

RESOLUTION NO. 2021-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT

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WITH AGUIRRE & FIELDS FOR DESIGN SERVICES AND CONSTRUCTION MANAGEMENT OF THE SEATTLE STREET RECONSTRUCTION PROJECT.

8. Consider Resolution No. 2021-60, nominating a candidate to serve on the Harris County Appraisal District's Board of Directors.

Background information for this item is as follows: Harris County Appraisal District has requested the City's participation in nominating a member for the Harris County Appraisal District's Board of Directors. Mike Sullivan presently serves on the Board and is seeking nomination for this position.

RESOLUTION NO. 2021-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, NOMINATING A CANDIDATE FOR A POSITION ON THE BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT.

9. Consider Resolution No. 2021-61, authorizing the City Manager to enter into a contract with Aguirre & Fields for the Preliminary Engineering Report and Permitting of the E127 Project.

Background information for this item is as follows: The City is doing a cost share with Flood Control for the E127 Channel Improvements Project. As the project was estimated, by Flood Control, to be \$3 million, the City cost share is \$1,500,000. Back in 2018 the City applied for, and was awarded, a grant in the amount of \$100,000 to help cover the cost share of the City to design the project. We were recently informed that TWBD will cover \$500,000 of the costs for this design work.

I have negotiated with Aguirre & Fields and HCFCD a scope that will take us from today through the Preliminary Engineering Report and Permitting Process through the US Army Corps of Engineers (USACE). We would need to negotiate a new contract for the final design, bid documents, construction phase services, and construction engineering and inspection.

The total cost for these services will be \$1,385,492.50. Therefore, the total cost of this will be paid for with \$100,000 from FEMA Funding, \$500,000 from TWDB Funding, and the remaining \$785,492.50 will be paid by the City/HCFCD.

RESOLUTION NO. 2021-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AGUIRRE & FIELDS FOR THE PRELIMINARY ENGINEERING REPORT AND PERMITTING OF THE E127 PROJECT.

Council Member Wubbenhorst moved to approve items 1 thru 9 on the Consent Agenda. Council Member Sheppard seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

H. REGULAR AGENDA

- 1. Consider Resolution No. 2021-62, appointing members to the Planning and Zoning Commission (P&Z) and the Capital Improvements Advisory Committee (CIAC), the Board of Adjustment (BOA), the Building Board of Adjustment and Appeals (BBOAA), the Parks and Recreation Advisory Committee (PRAC), and the Golf Course Advisory Committee (GCAC).**

City Secretary, Lorri Coody, presented the item. She explained that the terms for members serving on various Boards, Commissions, and Committees have expired, requiring that new appointments be made by the Council at this time.

The applications of those qualified candidates who have expressed interest in serving on these Boards and Commissions were included in the Council meeting packet.

Council reviewed the openings on each of the following Boards and Committees and by consensus made the appropriate appointments as follows:

Planning & Zoning Commission and the Capital Improvements Advisory Committee

Courtney Standlee to Position 1, Jennifer McCrea to Position 2, Charles A. Butler, III to Position 3, and Eric Henao to Position 4 for the term that begins on October 1, 2021 and ends September 30, 2023.

The Board of Adjustment

Nestor Mena to Position 1, Joe Pennington to Position 2, Thomas Simchak to Position 3 and Judy Tidwell to Position A1 for the term that begins on October 1, 2021 and ends September 30, 2023.

The Building Board of Adjustment and Appeals

Ari Fleitman to Position 5, Michael O'Kelley to Position 6, and Gary Vossler to Position 7 for the term that begins on October 1, 2021 and ends September 30, 2023.

The Recreation and Events Committee

Council engaged in discussion on this Committee. Some members wanted to expand the Committee Membership from its current number of seven (7) members and one (1) youth member to eleven (11) members and one (1) youth member. There was considerable discussion about expanding the Committee. It was the consensus of Council to make the appointments for these four (4) positions this evening and address expanding the Committee at the next regularly scheduled City Council Meeting on October 18, 2021. The

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consensus for appointments to the Parks and Recreation Advisory Committee was as follows:

Bridget Martinez to Position 1, Jamie MacDonald to Position 2, David Lock to Position 3, and Charles Mattair to Position 4 for the term that begins on October 1, 2021 and ends September 30, 2023.

The Golf Course Advisory Committee

Eddie Martinez to Position 1, Greg Fair to Position 2, Jane Arnett to Position 3, and David L. Lock to Position 4 for the term that begins on October 1, 2021 and ends September 30, 2023. Position 7 remains vacant.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Resolution No. 2021-62, appointing members as discussed to the Planning and Zoning Commission (P&Z) and the Capital Improvements Advisory Committee (CIAC), the Board of Adjustment (BOA), the Building Board of Adjustment and Appeals (BBOAA), the Recreation and Events Committee (R&E), and the Golf Course Advisory Committee (GCAC). 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. 2021-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE PLANNING & ZONING COMMISSION AND CAPITAL IMPROVEMENTS ADVISORY COMMITTEE, BOARD OF ADJUSTMENT, BUILDING BOARD OF ADJUSTMENT AND APPEALS, GOLF COURSE ADVISORY COMMITTEE; AND THE PARKS AND RECREATION ADVISORY COMMITTEE.

2. Consider Resolution No. 2021-63, selecting an individual to serve on the TML Health Benefits Pool Board of Trustees – Region 14.

Lorri Coody, City Secretary, introduced the item. Background information for this item is as follows: The Texas Municipal League Health Benefits Pool Board of Trustees Term of Office for Region 14 will expire. The term of office for this position is three years. A slate of interested candidates appears on the official ballot for election. Along with each name is a brief summary of qualifications for each candidate. The ballot must be received by the Board Secretary no later than September 27, 2021 and the official ballot must be properly signed and all pages of the ballot must be submitted in accordance with the instructions in order for the City of Jersey Village's vote to be counted.

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The qualified person must be either an elected official or an employee of an incorporated city within the region. A qualified municipal employee must hold a position of Department Head or higher; work at least 20 hours per week for an Employer Member; be paid by Employer Member with public funds; and be hired and fired only by another incorporated city official or by the incorporated city's governing body. It is intended that one-half (½) of the regionally elected trustees will be elected city officials and one-half (½) of the regionally elected trustees will be appointed city officials. The Pool offers various insurance and risk coverage including Workers' Compensation, Liability Insurance, Property Insurance and Special Risk Coverage.

The incumbent is Jason Reynolds, the City Manager from Nassau Bay. He is also the individual that City Council nominated for this position in Resolution 2021-51 on July 19, 2021.

With limited discussion on the matter, Council Member Singleton moved to appoint Jason Reynolds to serve on the TML Health Benefits Pool Board of Trustees – Region 14. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SELECTING AN INDIVIDUAL TO SERVE ON THE TML HEALTH BENEFITS POOL BOARD OF TRUSTEES – REGION 14.

3. Consider Resolution No. 2021-64, designating a city representative and an alternate representative to the Houston-Galveston Area Council's 2022 General Assembly.

Lorri Coody, City Secretary, introduced the item. Background information for this item is as follows: Houston Galveston Area Council (HGAC) has requested the City's participation in selecting a City representative for the Houston Galveston Area Council 2022 General Assembly.

Council Member Singleton was the designated representative and Councilmember Drew Wasson was the designated alternate representative for the Houston Galveston Area Council 2021 General Assembly.

This item is to designate a city representative and alternate representative to the Houston Galveston Area Council 2022 General Assembly. A meeting of Home Rule city representatives will be called on November 8, 2021.

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With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2021-64, designating Michelle Mitcham as city representative and Drew Wasson an alternate representative to the Houston-Galveston Area Council's 2022 General Assembly. 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. 2021-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING A CITY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE HOUSTON-GALVESTON AREA COUNCIL'S 2022 GENERAL ASSEMBLY.

4. Discuss with possible action either a contract extension with the audit firm of Belt Harris Pechacek, LLLP or the preparation of an RFP for audit services for a period of three year.

Isabel Kato, Finance Director, introduced the item. Background information for this item is as follows: The contract between the City of Jersey Village and the audit firm of Belt Harris Pechacek, LLLP has expired. They have offered to extend their relationship with the City of Jersey Village for additional three years starting with fiscal year 2020-2021 end of the year audit. Belt Harris Pechacek, LLLP has been the external auditors for the City of Jersey Village since September 2009.

Council engaged in discussion about the item. There was discussion about the proposed costs and the process of how this firm assigns auditors.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve a contract extension with the audit firm of Belt Harris Pechacek, LLLP for a period of three year. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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:

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- 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 had no comments.

Council Member Singleton: Council Member Singleton stated that he appreciates Citizens' Comments. He especially appreciates the comments made by Zack Maher. He gave background information about what happened the morning of the Adriatic Café fire. He feels that we need to consider Zack Maher's comments and review these concerns. We may need to hire more firefighters as we move forward.

Council Member Wasson: Council Member Wasson recognized employee of the month Stacy Jones. He also recognized those employees who served in the EOC during Hurricane Nicholas. He encouraged all residents to remember their neighbors and be friendly.

Council Member Sheppard: Council Member Sheppard thanked Zack Maher and Chief Maher for their comments and concerns for the Jersey Village Fire Department. She also called attention to the fireworks show to be had in the coming months.

Council Member Mitcham: Council Member Mitcham encouraged all to participate in National Night Out. She welcomed Yolanda Evans the new Code Enforcement Officer. She closed by stating that Zack Maher's comments were powerful.

Mayor Warren: Mayor Warren stated that signing the declaration of disaster was not a fun time for him. He stated that he was away from the City on vacation and felt helpless. Nonetheless, he was able to stay in contact with City Staff to make sure all was well in the City despite being away. It was all bearable because we do have such an amazing staff.

J. RECESS THE REGULAR SESSION

Mayor Warren recessed the Regular Session at 8:57 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.074 – Personnel Matters, Section 551.087 – Economic Development Negotiations, Section 551.072 – Deliberations about Real Property, and Section 551.071 – Consult Attorney.

K. EXECUTIVE SESSION

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1. Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.
2. Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.
3. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations and Section 551.071 Consultations with Attorney, a closed meeting to deliberate information from a business prospect that seeks to locate in the City.
4. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, a closed meeting to deliberate information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2, economic development negotiations, including the possible purchase, exchange or value of real property, related thereto, and to discuss legal matters regarding contractual obligations of the City under existing contracts related to Jersey Village TIRZ Number 2.

L. ADJOURN EXECUTIVE SESSION

Mayor Warren adjourned the Executive Session at 10:42 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

M. RECONVENE REGULAR SESSION

1. **Consider setting the City Secretary's compensation for budget year 2021-2022.**

In consideration of this item, Council Member Singleton moved to set the City Secretary's compensation for budget year 2021-2022 at \$125,624. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

2. **Consider setting the City Manager's compensation for budget year 2021-2022 and consider employment agreement amendments.**

In consideration of this item, Council Member Singleton moved to set the City Manager's compensation for budget year 2021-2022 at \$195,911 and to approve amendments to the

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City Manager's employment agreement. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

3. Discuss and take appropriate action on a Resolution regarding items discussed in closed session regarding economic development negotiations, including the possible purchase, exchange or value of real property, related thereto, and contractual obligations of the City under existing contracts related to Jersey Village TIRZ Number 2.

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-65, terminating any and all agreements with Collaborate Special Projects, LLC, and any of its affiliated entities; and authorizing the City Manager to notify all interested parties of such termination; and, to execute any and all documents to effectuate such termination. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, TERMINATING ANY AND ALL AGREEMENTS WITH COLLABORATE SPECIAL PROJECTS, LLC, AND ANY OF ITS AFFILIATED ENTITIES; AND AUTHORIZING THE CITY MANAGER TO NOTIFY ALL INTERESTED PARTIES OF SUCH TERMINATION; AND, TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SUCH TERMINATION.

N. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:47 p.m.

Lorri Coody, City Secretary

