

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 18, 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 7:07 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; Robert Basford, Director of Parks and Recreation; and Harry Ward, Director of Public Works.

B. INVOCATION, PLEDGE OF ALLEGIANCE

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

C. PRESENTATIONS

1. **Presentation of Police Department Employee of the 2021 Third Quarter Award by Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.**

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

2. **Presentation of Employee of the Month.**

Austin Bless, City Manager, presented the September employee of the month award to Josh Rodrigue.

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.

Karie Lawrence, 8410 Achgill Street, Jersey Village, Texas (713) 301-5931 – Ms. Lawrence gave a tribute to the memory of long-time resident and community leader, Barbi Freeman as follows:

Barbi was a pillar of this community for over 50 years. She and Larry moved to Jersey Village in the 60's and she was involved in the community from the very beginning. I won the lottery when I moved next door to them 22 years ago.

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Through the years Barbi was involved with Jersey Village in many ways. She was on the Charter Review Commission several times, Comprehensive Planning Committee, P&Z Commission, Officer of the Quarter Committee, Precinct Judge for our election precinct, and she ran the Jersey Village city elections for many, many years.

She had a high regard for the Jersey Village Fire Department and Jersey Village Police Department. She participated in both of their classes and was on the CERT Team.

I worked with Barbi many years at the elections where she was faced with many negative interactions, and even had a lawsuit filed against her. She took all of this with integrity and grace and she stayed committed to honoring the election process.

Anyone that worked with Barbi would agree there was no one more organized, compassionate and ethical when serving the community.

I hope anyone listening, especially our new and young residents, sees how much one person can do in a community, and considers volunteering to make a difference. Barbi did that very thing. She made a difference and loved doing it because she loved living in Jersey Village.

I want to thank the Jersey Village EMTs. They devote their lives to the residents of Jersey Village with such care and concern. While with Barbi at the end, I was not alone because I was surrounded by the EMTs that are our friends and neighbors. I was very comforted by their presence.

The day before Barbi passed, I had on a T-shirt given to me by my sister who was going through cancer treatments. Barbi asked what my shirt said. I told her it said “in this family no one journeys alone.” Then I told her that she is my family and she is not going through this alone, because in a community, neighbors become friends and friends become family.

Thank you Barbi for teaching me and others, how to serve our community.

Susan Edwards, 16001 Jersey Drive, Jersey Village, Texas (713) 817-3290 – Ms. Edwards also honored Barbi Freeman. She told Council that Barbi was positive. She was not negative. She was an outstanding citizen for Jersey Village and she will be missed.

John Baucum, 15325 Chichester Lane, Jersey Village, Texas (713) 822-8405 – Mr. Baucum thanked the Jersey Village Police and Fire Departments for the open house. He told City Council that we need to give priority to staffing these departments. He is not in favor of funding a clubhouse with debt. He prefers building with cash on hand. He also paid respect to Barbi Freeman. He has learned much about elections from Barbi and wants to carry on her strong leadership in service to the community through elections.

David Lock, 16002 Lakeview Drive, Jersey Village, Texas (832) 630-2604 – Mr. Lock spoke to City Council about his service on several committees. He supports activities and attends meetings. He wants an apology for what was said during the last City Council Meeting about his service on the Parks and Recreation Advisory Committee. He did not appreciate the comments made about

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him by Council Member Mitcham. He felt it was a personal attack and was unprofessional. He did not appreciate this attack.

Leroy Narendorf, 16226 Singapore Lane, Jersey Village, Texas (832) 879-7230 – Mr. Narendorf spoke to City Council about why he moved to Jersey Village. He is requesting a code revision to allow the City to replace damaged equipment “in kind” instead of replacement with a “use requirement.” He explained that there was an electrical cable that was damaged by a contractor during their work on his property. He was told that the cable should be replaced with copper. However, the contractor, AT&T, had an issue with a supplier for copper cable and wanted to substitute it with another material. There were many issues with getting this damage repaired by AT&T. He ultimately replaced the cable on his own. He wanted to work with the City for a code revision.

Merrilee Beazley, 14910 Lakeview Drive, Jersey Village, Texas (832) 641-5967 – Ms. Beazley spoke to City Council about the dangers of the vaccines and her research concerning same. She mentioned that Mayor Warren is an attorney and as such has certain responsibilities. She explained these responsibilities. She went on to say that he has a duty and responsibility to investigate the problems with the May 5, 2021 election. She stated that there are many rounds of golf that are given away free. She wants the dog park to be turned into a wellness trail. She also addressed the TIRZ3. She did a You Tube video about the TIRZ so people can understand this concept. She mentioned that there are many qualified candidates running to serve on the Cy-Fair ISD Board. She encouraged all to vote and stated how she was going to vote.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy would like to see the Jersey Village Homestead exemption increased from the current 14% to the full 20%. He also wants to know about the monies in the “unassigned facility replacement fund” created back in 2007. He wants to know why this fund was created and what happened to the monies. He made mention of a discussion that he had with the Finance Director several years ago concerning this fund. He also made mention of the City accumulating funds for projects. He went on to list the projects and the cost of all, totaling some \$10.2M. In addition to the projects listed, he stated that there is the cost for a new City Hall. He made mention of the land purchased on the south side of US HWY 290. He wants to know what happened to the stock pile of funds from the facility replacement fund that was created back in 2007. He also gave information about funds spent on the golf course. He wants the golf course to be turned into a public park.

James MacDonald, 16306 Acapulco, Jersey Village, Texas (832) 253-6167 – Mr. MacDonald is chair of the Jersey Village Appreciation Committee. As such, he gave thanks to Jennifer Johnson and Steve Angelo who have gone above and beyond their duties to help him with a golf tournament. They are very helpful. He also wants to see more lighting at the park and better maintenance of the sidewalk between the pool and Post Elementary.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 206-1184 – Mr. Fields stated that Barbi Freeman will be missed. God Bless you Barbi. He went on to tell City Council that he wants to make sure that the police and fire departments are well financed. He would like to see our water towers have a big cow painted on it. He supports waiting for two years to build the clubhouse at

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the golf course, as it will be more economical. He stated that any revenue estimates for the golf course must include bad weather days. He believes that City Council needs to cut costs if they want this facility and not raise taxes. He believes that items mentioned in Citizens' Comments must be added to the next agenda. Mayor Warren explained the process for getting something on the next agenda.

Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832-689-9878) – Ms. Henao gave informational tidbits about Jersey Village. Her research is very informative.

E. 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 – August 2021, General Fund Budget Projections as of September 2021, Utility Fund Budget Projections – September 2021, and Quarterly Investment Report – September 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. 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.

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 4 is found at the end of the Consent Agenda.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on September 20, 2021 and the Work Session Meeting held on September 20, 2021.**
- 2. Consider Resolution No. 2021-66, authorizing the City Manager to execute a two (2) year contract extension with Wells Fargo Bank for depository services.**

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Background information for this item is as follows: The current depository agreement between the City and Wells Fargo Bank was issued for a three-year period and expired on September 30, 2021, but provided for a two-year extension under the same terms and conditions.

Accordingly, Wells Fargo Bank and the City Staff wish to extend the 2018 Agreement for Depository Bank Services for two (2) more years from October 1, 2021 thru September 30, 2023.

The option to extend falls under the allowable 5-year term provision from the Texas Local Government Code, Title 4, Subtitle A, Chapter 105, Subchapter A, Section 105.017. Staff is very pleased with the service that Wells Fargo provides; and for that reason, wishes to extend the current depository contract for two more years.

RESOLUTION NO. 2021-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A TWO (2) YEAR CONTRACT EXTENSION WITH WELLS FARGO BANK FOR DEPOSITORY SERVICES.

- 3. Consider Ordinance No. 2021-37, approving the request of the Board of Directors of the Fire Control Prevention and Emergency Medical Services District to amend the 2021-2022 Fire Control Prevention and Emergency Medical Services District's budget in the amount of \$350,000 by decreasing line item 49-26-9781 (Equipment Purchase Contribution) and increasing line item 49-26-5523 (Personnel Fire Control and Prevention District); and providing for severability.**

Background information for this item is as follows: After the Fire Control Prevention and Emergency Medical Services District (FCPEMSD) Budget was adopted, it was necessary for City Staff to make changes in the transfer line item from the FCPEMSD to the General Fund before the City of Jersey Village Municipal Budget was adopted by City Council. These changes were made due to approval of the American Rescue Plan Grant. Therefore, we are respectfully requesting to amend the FCPEMSD's budget by increasing line item 49-26-5523 (Personnel Fire Control and Prevention District) and at the same time decreasing line item 49-26-9781 (Equipment Purchase Contribution) in the amount not to exceed \$350,000.

Staff has heretofore requested that the FCPEMSD amend its budget to accommodate this change and the FCPEMSD Board has recommended that its 2021-2022 budget be amended in the amount of \$350,000 by decreasing line item 49-26-9781 (Equipment Purchase Contribution) and increasing line item 49-26-5523 (Personnel Fire Control and Prevention District).

This item is to accomplish the approval of the FCPEMSD Board's actions in connection with this budget amendment.

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ORDINANCE NO. 2021-37

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE REQUEST OF THE BOARD OF DIRECTORS OF THE FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT TO AMEND THE 2021-2022 FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT'S BUDGET IN THE AMOUNT OF \$350,000 BY DECREASING LINE ITEM 49-26-9781 (EQUIPMENT PURCHASE CONTRIBUTION) AND INCREASING LINE ITEM 49-26-5523 (PERSONNEL FIRE CONTROL AND PREVENTION DISTRICT); AND PROVIDING FOR SEVERABILITY.

- 4. Consider Resolution No. 2021-67, declaring surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

Background information on this item is as follows: City staff is requesting City Council to declare surplus equipment as obsolete and authorize City Manager to dispose of via a method approved by the city's administrative procedures.

RESOLUTION NO. 2021-67

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.

Council Member Singleton moved to approve items 1 thru 4 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.

G. REGULAR AGENDA

- 1. Consider Resolution No. 2021-68, making amendments to the membership and term of office, for the Parks and Recreation Advisory Committee; and making alternate committee appointments.**

Robert Basford, Director of Parks and Recreation, introduced the item. Background information is as follows: On September 20, 2021, City Council directed Staff to bring back amendments to the Parks and Recreation Advisory Committee to provide for additional members.

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This item is to consider making amendments to the membership and term of office, for the Parks and Recreation Advisory Committee; and making alternate committee appointments.

The proposed Resolution provides for adding up to four (4) alternate membership positions to the committee and makes amendments to committee requirements to coincide with these additions.

Additionally, the Resolution provides for City Council to appoint four (4) individuals as alternate members. City Council will need to establish the position number (A1, A2, etc.) for each appointment.

Council engaged in discussion about amendments to the Parks and Recreation Advisory Committee and its membership. Discussion was had on the assignment of place numbers for the alternate members as follows:

Glenn Jackoviak	Place _____	Kristy Holder	Place _____
Heather Tuggle	Place _____	Lynda Schubring	Place _____

He also reported that since this item, position 7 is vacant.

Council engaged in discussion about the addition of alternates and the ability to participate in discussion. Some felt that the alternates could be used to help with events. It was suggested that the last sentence in section 2 be eliminated. There was discussion about the number of alternates.

Lorri Coody, City Secretary, gave background information about how committees in Jersey Village operate with alternates. The Council discussed the responsibilities of the Committee and if these responsibilities will change moving forward. Mr. Basford said that he believes the responsibilities will include more involvement by Committee Members. There was discussion about how to involve volunteers and enabling discussion within the meetings may be advantageous.

There was discussion about the committee appointments.

With no further discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-68, making amendments to the membership and term of office, for the Parks and Recreation Advisory Committee; and making alternate committee appointments with amendments to the Resolution for the appointment of up to three alternates as opposed to up to four alternates and with the following appointments:

Glenn Jackoviak	Place __A1__	Kristy Holder	Removed from List
Heather Tuggle	Place __A2__	Lynda Schubring	Place __A3__

Council Member Mitcham seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

RESOLUTION NO. 2021-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, MAKING AMENDMENTS TO THE MEMBERSHIP AND TERM OF OFFICE, FOR THE PARKS AND RECREATION ADVISORY COMMITTEE; AND MAKING ALTERNATE COMMITTEE APPOINTMENTS.

H. 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 Mitcham: Council Member Mitcham reminded everyone of the art class to be given on November 5, and to attend Foodie Fridays.

Council Member Sheppard: Council Member Sheppard would like to honor the memory of Barbi Freeman. She offered prayers to her family. Barbi Freeman will be missed.

Council Member Wasson: Council Member Wasson also will miss Barbi Freeman. He told of his meeting with her in 2008 and how she was a catalyst in his involvement in the City. He reminded everyone to go and vote.

Council Member Singleton: Council Member Singleton has known Barbi Freeman since his High School days. He told everyone that she was very involved in the City and that she was excited for him to run for office. He is so sorry for her passing and offers prayers for the family.

Council Member Wubbenhorst: Council Member Wubbenhorst sends his sympathies to Barbi's family. He told of a story about meeting her in the Sam's Parking Lot. He told everyone that she was very open and he has a lot of respect for her. We will miss her.

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Mayor Warren: Mayor Warren stated that Barbi Freeman always pops in his head when working with City Business. She was not afraid to speak her mind, but did so with a civil and respectful tone. She never put anyone on the spot in public. He mentioned that she would pull me aside later and make suggestions on how to handle items while still sticking to principles. She will be missed. God bless her and her family.

I. RECESS THE REGULAR SESSION

Mayor Warren recessed the Regular Session at 8:16 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 – Economic Development Negotiations, Section 551.071 – Consult Attorney, and Section 551.072 – Deliberations about Real Property.

J. EXECUTIVE SESSION

- 1. Pursuant to the Texas Open Meetings Act, Section 551.087 and Section 551.071 consultations with Attorney to conduct deliberations regarding Economic Development Negotiations to locate a Retail Service Center within Jersey Village.**
- 2. Pursuant to the Texas Open Meetings Act, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, discuss the potential and possible purchase, exchange, or value of real property, located within TIRZ 3.**

K. ADJOURN EXECUTIVE SESSION

Mayor Warren adjourned the Executive Session at 8:48 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

L. RECONVENE REGULAR SESSION

- 1. Consider Resolution No. 2021-69, authorizing the City Manager to sign the First Amendment to the Chapter 380 Agreement between the City of Jersey Village and Argos Ready Mix LLC.**

Austin Bleess, City Manager, introduced the item explaining that this item is to take action on the proposed First Amendment of the Chapter 380 Agreement with Argos Ready Mix LLC as discussed in executive session.

With no further discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-69, authorizing the City Manager to sign the First Amendment to the Chapter 380 Agreement between the City of Jersey Village and Argos Ready Mix LLC. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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RESOLUTION NO. 2021-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN THE FIRST AMENDMENT TO THE CHAPTER 380 AGREEMENT BETWEEN THE CITY OF JERSEY VILLAGE AND ARGOS READY MIX LLC.

2. Consider Resolution No. 2021-70, authorizing the City Manager to execute contracts for the purchase of land within TIRZ 3.

Austin Bless, City Manager, introduced the item. He explained that City Council has heretofore recessed into an Executive Session pursuant to Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, to discuss the potential and possible purchase, exchange or value of real property, located within TIRZ 3. This item is to take action on the possible purchase of land in the TIRZ 3.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Resolution No. 2021-70, authorizing the City Manager to execute contracts for the purchase of land within TIRZ 3. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Having completed a Conflict of Interest Affidavit under Local Government Code Chapter 171, Council Member Singleton did not participate in the discussion and he did not vote.

RESOLUTION NO. 2021-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE NEGOTIATIONS AND ENTER INTO PURCHASE AGREEMENTS AND RELATED DOCUMENTS REGARDING THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED WITHIN THE BOUNDARIES OF TAX INCREMENT REINVESTMENT ZONE NUMBER 3 (THE “TIRZ”) AS RECOMMENDED BY THE BOARD OF DIRECTORS OF THE TIRZ, TO IMPLEMENT THE PROJECT PLANS OF THE TIRZ.

M. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:49 p.m.



Lorri Coody, City Secretary