



NOTICE OF A MEETING
(In compliance with Sec. 551.041, Et. Seq., Tex. Gov't. Code)

NOTICE is hereby given that the Board of Directors of the Jersey Village Fire Control Prevention and Emergency Medical Services District (FCPEMSD) will hold a Meeting on June 21, 2021 at 7:00 p.m. in the Civic Center Auditorium at 16327 Lakeview Drive, Jersey Village, Texas 77040.

ITEM(S) to be discussed and acted upon by the Board at this meeting is/are listed on the attached agenda.

AGENDA

- A. Open Meeting. Call the meeting to order and call the roll of Directors present.
- B. **CITIZENS' COMMENTS** - Any person who desires to address the City of Jersey Village FCPEMSD Board regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Directors are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Board.
- C. Consider approval of the minutes of the Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) Meetings held on February 8, 2021 and May 10, 2021. *Board Secretary*
- D. Election of Officers
- E. Consider Resolution No. 2021-02, establishing the Fire Control Prevention, and Emergency Medical Services District's fiscal year and setting forth procedures for adopting the District's budget. *Lorri Coody, City Secretary*
- F. Consider Resolution No. 2021-03, authorizing the execution of a Management Agreement with the City of Jersey Village, Texas.
- G. Adjourn

CERTIFICATION

I, the undersigned authority, do hereby certify in accordance with the Texas Open Meeting Act, the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at City Hall, 16327 Lakeview, Jersey Village, TX 77040, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: June 14, 2021 at 12:40 p.m. and remained so posted until said meeting was convened.



Lorri Coody, City Secretary

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

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

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

FCPEMSD MEETING PACKET FOR THE MEETING TO BE HELD ON JUNE 21, 2021

- B. CITIZENS' COMMENTS** - Any person who desires to address the City of Jersey Village FCPEDMSD Board regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Directors are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Board.

MINUTES OF THE MEETING OF THE TEMPORARY BOARD OF THE JERSEY VILLAGE FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT MEETING HELD ON FEBRUARY 8, 2021 AT 7:00 P.M. PURSUANT TO SECTION 418.016 OF THE TEXAS GOVERNMENT CODE

Pursuant to Section 418.016 of the Texas Government Code, on March 16, 2020, the Governor of the State of Texas granted the Office of the Attorney General's request for the temporary suspension of certain provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings that assemble large groups of people, as a precautionary measure to contain the spread of novel coronavirus COVID-19.

Accordingly, the public was not allowed to be physically present at this Fire Control Prevention and Emergency Medical Services District (FCPEMSD) Meeting for the City of Jersey Village, Texas, but the meeting was available to members of the public and allowed for two-way communications for those desiring to participate via telephone with the following toll-free number: **346-248-7799 along with Webinar ID: 893 9752 9747.**

A. Open Meeting - The meeting was called to order at 7:06 p.m. by Temporary Director Andrew Mitcham, with the following present:

- | | |
|--------------------------------------|------------------------------|
| Temporary Director, Andrew Mitcham | City Attorney, Justin Pruitt |
| Temporary Director, Drew Wasson | City Secretary, Lorri Coody |
| Temporary Director, James Singleton | |
| Temporary Director, Greg Holden | |
| Temporary Director, Bobby Warren | |
| Temporary Director, Gary Wubbenhorst | |
| Temporary Director, Austin Bless | |

Staff in attendance: Kirk Riggs, Chief of Police; Mark Bitz, Fire Chief; and Bob Blevins, IT Director.

B. CITIZENS' COMMENTS - Any person who desires to address the City of Jersey Village Temporary FCPEMSD Board regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Temporary Directors are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Board.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430: Mr. Maloy spoke to the Board about City Council's desire to create this new district and in doing so to have the City Council and the City Manager to serve as Directors of the Temporary Board. He gave background information about the .5% previously set aside for property tax relief and how the allocation for tax relief will be transferred to support this new district if it is approved by the voters. He gave information about prior sales taxes collected by the City. He was concerned about the re-allocation and how it will affect residential property taxes. Accordingly, he wants to know if City Council is going to off-set any increases by approving the maximum amount of tax exemption for homesteads and for the over 65 exemption. He believes that if the City Council wants to eliminate the tax relief program that they should increase the exemptions. He also wants the residents to be able to vote on large projects proposed for the City. Currently, they are not asked to vote on these projects. He wants to know why the voters are being asked to vote on the reallocation of sales tax to a FCPEMSD.

TEMPORARY MEETING OF THE JERSEY VILLAGE
FIRE CONTROL PREVENTION EMERGENCY MEDICAL SERVICES DISTRICT
February 8, 2021

C. Election of Temporary Board President and Vice President.

Temporary Director Mitcham called for nominations for the position of Temporary Board President. Temporary Director Wasson nominated Andrew Mitcham to serve as Temporary Board President and Bobby Warren to serve as Temporary Board Vice President. Temporary Director Holden seconded the nomination. The vote follows:

Ayes: Temporary Directors Wasson, Holden, Singleton, Wubbenhorst, Warren and Bless

Nays: None

Abstains: Temporary Director Mitcham

The nominations carried.

D. Conduct a public hearing for the purpose of giving all interested parties the right to appear and be heard on the proposed Fire Control Prevention and Emergency Medical Services District's two-year plan and two-year budget.

Temporary Board President Mitcham called to order the public hearing at 7:15 p.m., giving all interested parties the right to appear and be heard on the proposed Fire Control Prevention and Emergency Medical Services District's two-year plan and two-year budget.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430: Mr. Maloy spoke to the Board. He referred to his comments made earlier in the evening during the public comment section of the agenda. He stated that the plan is to allocate one-half of one percent of sales tax revenue to fund this new district. He went on to explain his assessment of the amount of revenues that would result from this allocation.

He complained to the Board that he does not feel that he has any say in deciding if city revenue should be spent on certain projects, specifically the land purchased on the south side of US HWY 290 or the building of a new city hall. He feels that the residents are only permitted to vote when the odds are that they residents will approve these projects or when the need for a vote is required by law. He feels that the City has "stock piled" dollars to do projects without having input from residents. He felt that the City has the money to fund fire department and emergency medical services without creating this new district.

With no one else desiring to speak at the public hearing concerning the proposed Fire Control Prevention and Emergency Medical Services District's two-year plan and two-year budget, Temporary Board President Mitcham closed the public hearing at 7:19 p.m.

E. Consider Resolution No. 2021-01, adopting a two-year plan and a two-year budget for the Fire Control Prevention and Emergency Medical Services District.

Background information on the item is as follows: The Local Government Code at Sec. 344.061 requires that the Temporary Board of the Fire Control Prevention and Emergency Medical Services District (FCPEMSD) develop and adopt a two-year plan and a two-year budget for the Fire Control Prevention and Emergency Medical Services District.

TEMPORARY MEETING OF THE JERSEY VILLAGE
FIRE CONTROL PREVENTION EMERGENCY MEDICAL SERVICES DISTRICT
February 8, 2021

The two-year plan must include:

1. A detailed list of the fire control, prevention, and emergency medical services strategies to be supported by the district; and
2. The method of evaluating each year the effectiveness and efficiency of individual fire control, prevention, and emergency medical services strategies.

The two-year budget must include:

1. The amount of money budgeted by the district for each fire control, prevention, and emergency medical services strategy;
2. The amount of money budgeted by the district and the percentage of the total budget of the district for administration, with individual amounts showing the cost of the administration that would be conducted by the district and the cost of administration that would be conducted by private or public entities;
3. The estimated amount of money available to the district from all sources during the subsequent year;
4. The account balances expected at the end of the years for which the budget is prepared; and
5. The estimated tax rate that will be required to support the budget.

This item is to consider adoption of a two-year plan and two-year budget for the FCPMSD.

With limited discussion on the matter, Temporary Director Singleton moved to approve Resolution No. 2021-01, adopting a two-year plan and a two-year budget for the Fire Control Prevention and Emergency Medical Services District. Temporary Director Wubbenhorst seconded the motion. The vote follows:

Ayes: Temporary Directors Wasson, Holden, Singleton, Wubbenhorst, Warren and Bless
President Mitcham

Nays: None

The motion carried.

RESOLUTION NO. 2021-01

A RESOLUTION OF THE TEMPORARY BOARD OF DIRECTORS OF THE FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT OF THE CITY OF JERSEY VILLAGE, TEXAS, ADOPTING A TWO-YEAR PLAN AND TWO-YEAR BUDGET.

- F. Consider Ordinance No. 2021-04, pertaining to a Joint Order of the Temporary Board of Directors (the “Temporary Board”) of The Jersey Village Fire Control, Prevention, and Emergency Medical Services District (the “District”) and the City Council (the “Council”) of the City of Jersey Village (the “City”), ordering a Special Election to be held on May 1, 2021 (the “Special Election”), for the purpose of submitting to the qualified voters of the District and the City a ballot proposition that serves as a**

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FIRE CONTROL PREVENTION EMERGENCY MEDICAL SERVICES DISTRICT
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Confirmation Election Order for the District, and abolishing a sales and use tax for the City at a rate of one-half of one percent (0.5%) dedicated to property tax relief and concurrently adopting a sales and use tax to fund the District at a rate of one-half of one percent (0.5%), with such tax dedicated to Fire Control, Prevention, and Emergency Medical Services Programs, pursuant to Chapter 344 of the Texas Local Government Code, as amended; providing for a ballot proposition to be included in the Special Election designating that the Council and City Manager of the City may, by resolution, be appointed to serve as the Permanent Board of Directors of the District; providing a summary of the Proposed Budget Plan and Fire Control, Prevention, and Emergency Medical Services Plan for the District; providing for the approval of a Joint Contract for Election Services with the City; providing details relating to the holding of the Special Election; and, providing an effective date.

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

After adopting the two-year plan and two-year budget, Section 344.054 of the Local Government Code permits the Temporary Board of the Fire Control Prevention and Emergency Medical Services District (FCPEMSD) to call and hold a confirmation election.

An order calling an election must state:

1. The nature of the election, including the proposition that is to appear on the ballot;
2. The date of the election;
3. The hours during which the polls will be open;
4. The location of the polling places;
5. A summary of the proposed district's budget plan and fire control, prevention, and emergency medical services plan; and
6. The proposed rate of the sales and use tax for the district.

This item is to order the special election items for the FCPEMSD. However, it is also a joint order with the City of Jersey Village because the City Council must call the special election for that portion that relates to abolishing a sales and use tax for the City at a rate of one-half of one percent (0.5%) dedicated to property tax relief.

There was discussion about the proposal. The proposal was explained. There will not be a rise in property tax because of this change. The over 65 and homestead exemptions are not up for discussion this evening. It was explained that the pandemic had placed a hold on raising these exemptions at this time. It was mentioned that these exemptions have been raised in the past and the tax rate is lower. This proposal is to insure there are funds available to fund the fire department and emergency medical services. This is a responsible way to fund these services.

City Attorney explained that there were a few changes in the Proposition A language since the posting of the meeting packet and agenda. The changes were made in accordance with recommendations by the State Comptroller. He read from the meeting packet the language and

TEMPORARY MEETING OF THE JERSEY VILLAGE
FIRE CONTROL PREVENTION EMERGENCY MEDICAL SERVICES DISTRICT
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then read the suggested change for the Proposition A language. Corrections were also note for the Joint Election Agreement wherein the percent to fund the District were stated incorrectly at 1.5% when it should be .5%.

There was discussion about the recommended language by the State Comptroller.

With limited discussion on the matter, Temporary Director Singleton moved to approve Ordinance No. 2021-04, pertaining to a Joint Order of the Temporary Board of Directors (the “Temporary Board”) of The Jersey Village Fire Control, Prevention, and Emergency Medical Services District (the “District”) and the City Council (the “Council”) of the City of Jersey Village (the “City”), ordering a Special Election to be held on May 1, 2021 (the “Special Election”), for the purpose of submitting to the qualified voters of the District and the City a ballot proposition that serves as a Confirmation Election Order for the District, and abolishing a sales and use tax for the City at a rate of one-half of one percent (0.5%) dedicated to property tax relief and concurrently adopting a sales and use tax to fund the District at a rate of one-half of one percent (0.5%), with such tax dedicated to Fire Control, Prevention, and Emergency Medical Services Programs, pursuant to Chapter 344 of the Texas Local Government Code, as amended; providing for a ballot proposition to be included in the Special Election designating that the Council and City Manager of the City may, by resolution, be appointed to serve as the Permanent Board of Directors of the District; providing a summary of the Proposed Budget Plan and Fire Control, Prevention, and Emergency Medical Services Plan for the District; providing for the approval of a Joint Contract for Election Services with the City; providing details relating to the holding of the Special Election; and, providing an effective date, with the amendments discussed. Temporary Director Warren seconded the motion. The vote follows:

Ayes: Temporary Directors Wasson, Holden, Singleton, Wubbenhorst, Warren and Bless
President Mitcham

Nays: None

The motion carried.

ORDINANCE NO. 2021-04

AN JOINT ORDER OF THE TEMPORARY BOARD OF DIRECTORS (THE “TEMPORARY BOARD”) OF THE JERSEY VILLAGE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT (THE “DISTRICT”) AND THE CITY COUNCIL (THE “COUNCIL”) OF THE CITY OF JERSEY VILLAGE (THE “CITY”), ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 1, 2021 (THE “SPECIAL ELECTION”), FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE DISTRICT AND THE CITY A BALLOT PROPOSITION THAT SERVES AS A CONFIRMATION ELECTION ORDER FOR THE DISTRICT, AND ABOLISHING A SALES AND USE TAX FOR THE CITY AT A RATE OF ONE-HALF OF ONE PERCENT (0.5%) DEDICATED TO PROPERTY TAX RELIEF AND CONCURRENTLY ADOPTING A SALES AND USE TAX TO FUND THE DISTRICT AT A RATE OF ONE-HALF OF ONE PERCENT (0.5%), WITH SUCH TAX DEDICATED TO

TEMPORARY MEETING OF THE JERSEY VILLAGE
FIRE CONTROL PREVENTION EMERGENCY MEDICAL SERVICES DISTRICT
February 8, 2021

FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES PROGRAMS, PURSUANT TO CHAPTER 344 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR A BALLOT PROPOSITION TO BE INCLUDED IN THE SPECIAL ELECTION DESIGNATING THAT THE COUNCIL AND CITY MANAGER OF THE CITY MAY, BY RESOLUTION, BE APPOINTED TO SERVE AS THE PERMANENT BOARD OF DIRECTORS OF THE DISTRICT; PROVIDING A SUMMARY OF THE PROPOSED BUDGET PLAN AND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES PLAN FOR THE DISTRICT; PROVIDING FOR THE APPROVAL OF A JOINT CONTRACT FOR ELECTION SERVICES WITH THE CITY; PROVIDING DETAILS RELATING TO THE HOLDING OF THE SPECIAL ELECTION; AND, PROVIDING AN EFFECTIVE DATE.

G. Adjourn

With no other items to be addressed by the Temporary Board, the meeting was adjourned at 7:34 p.m.



Lorri Coody, City Secretary

FCPEMSD MEETING PACKET FOR THE MEETING TO BE HELD ON JUNE 21, 2021

MINUTES OF THE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AND THE TEMPORARY BOARD OF THE CITY OF JERSEY VILLAGE FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT HELD ON MAY 10, 2021 AT 7:00 P.M. IN THE CIVIC CENTER AUDITORIUM, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. The meeting was called to order by Mayor Andrew Mitcham at 7:05 p.m. with the following present:

Mayor, Andrew Mitcham
Council Member, Drew Wasson
Council Member, Greg Holden
Council Member, Bobby Warren
Council Member, James Singleton
Council Member, Gary Wubbenhorst

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

The following Temporary Board Members for the Fire Control Prevention, and Emergency Medical Services District were present at this meeting:

President, Andrew Mitcham
Director Drew Wasson
Director, Greg Holden
Director, Bobby Warren
Director, James Singleton
Director, Gary Wubbenhorst
Director, Austin Bless

Staff in attendance: Mark Bitz, Fire Chief; Isabel Kato, Finance Director; Kirk Riggs, Interim Chief of Police; Christian Somers, Building Official; Jason Alfaro, Director of Parks and Recreation; and Harry Ward, Director of Public Works.

B. CITIZENS' COMMENTS - Any person who desires to address the City Council or the Temporary Board for the FCPEMSD regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff, the City Council, or the FCPEMSD Temporary Board Members are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430: Mark Maloy told the board and City Council about his son being a firefighter. He spoke about the City Election and how the proposition for the FCPEMSD creation proposition and the abolition of the property tax relief was written on the ballot. He wondered why the proposition was not written in a better way so residents would understand that by adopting the Fire Control District they gave up the property tax relief fund. He feels that the City did this on purpose because it wanted to create the District. He feels it was done because it was a way to get around SB2 passed in 2019, which placed restrictions on the ability of cities to collect property taxes.

C. Consider Ordinance No. 2021-20, canvassing the returns of the Joint Special Election held within the District's boundaries by the City of Jersey Village and the District on the

JOINT MEETING OF THE CITY COUNCIL & THE TEMPORARY BOARD OF THE
FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES
DISTRICT – May 10, 2021

1st day of May, 2021, for the purpose of voting for or against the proposition creating the District dedicated to fire safety and emergency medical services programs, and the adoption of a sales tax at a rate of one-half of one percent (0.5%) to fund the District, and the concurrent abolition of the one-half of one percent (0.5%) sales tax for property tax relief; and for the purpose of voting for or against the proposition that should the creation of the District be authorized, the Council may approve an ordinance to appoint the Council and the City Manager of the City to serve as the Board of Directors of the District; finding that notice of the Joint Special Election was properly held and the returns thereof made by the proper officials in accordance with the laws of the State of Texas; Declaring the creation of the District and the adoption of a sales tax at the rate of one-half of one percent (0.5%) to fund the District, declaring that the one-half of one percent (0.5%) sales tax for the property tax relief fund be abolished, and declaring that the Council and the City Manager shall serve as the Board of Directors of the District; and providing for the effective date thereof.

Andrew Mitcham Mayor and President of the Temporary Board called the item and opened the sealed envelope containing the canvass report for the City of Jersey Village and the Temporary Board of the Fire Control Prevention and Emergency Medical Services District (District) Joint Special Election held on May 1, 2021. He instructed the members of the City Council and the Directors of the District to open their envelopes containing the canvass report and to review same. A summary is as follows:

<i>Name of Contest</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
Proposition A			
For	512	213	725
Against	264	244	508
Proposition B			
For	539	233	772
Against	237	217	454

Andrew Mitcham Mayor and President of the Temporary Board read the returns and announced the following: The official canvass of the returns of the City of Jersey Village and the Temporary Board of the Fire Control Prevention and Emergency Medical Services District Joint Special Election held on May 1, 2021 reflect that a majority of the votes cast at the Election were in favor of creating the District, approving the adoption of a sales tax at a rate of one-half of one percent (0.5%) to fund the District, approving the abolition of the one-half of one percent (0.5%) sales tax for property tax relief, and approving the ability of the Council to adopt an ordinance naming the Council and City Manager as the board of directors for the District.

FCPEMSD MEETING PACKET FOR THE MEETING TO BE HELD ON JUNE 21, 2021

JOINT MEETING OF THE CITY COUNCIL & THE TEMPORARY BOARD OF THE
FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES
DISTRICT – May 10, 2021

Once the review of the canvass by all members is complete, Andrew Mitcham, Mayor and President of the Temporary Board, called for a motion to approve Ordinance 2021-20, canvassing the returns and declaring the results of the City of Jersey Village and the Temporary Board of the Fire Control Prevention and Emergency Medical Services District Joint Special Election held on May 1, 2021.

James Singleton, Council Member and Temporary Director for the District, moved to approve Ordinance No. 2021-20, canvassing the returns of the Joint Special Election held within the District's boundaries by the City of Jersey Village and the District on the 1st day of May, 2021, for the purpose of voting for or against the proposition creating the District dedicated to fire safety and emergency medical services programs, and the adoption of a sales tax at a rate of one-half of one percent (0.5%) to fund the District, and the concurrent abolition of the one-half of one percent (0.5%) sales tax for property tax relief; and for the purpose of voting for or against the proposition that should the creation of the District be authorized, the Council may approve an ordinance to appoint the Council and the City Manager of the City to serve as the Board of Directors of the District; finding that notice of the Joint Special Election was properly held and the returns thereof made by the proper officials in accordance with the laws of the State of Texas; Declaring the creation of the District and the adoption of a sales tax at the rate of one-half of one percent (0.5%) to fund the District, declaring that the one-half of one percent (0.5%) sales tax for the property tax relief fund be abolished, and declaring that the Council and the City Manager shall serve as the Board of Directors of the District; and providing for the effective date thereof. Gary Wubbenhorst, Council Member and Temporary Director for the District, seconded the motion. The vote follows:

Ayes: Mitcham, Wasson, Holden, Warren, Singleton, Wubbenhorst, and Bless
Council Members and Temporary Directors of the District

Nays: None

The motion carried.

ORDINANCE NO. 2021-20

A JOINT ORDINANCE OF THE TEMPORARY BOARD OF DIRECTORS (THE "TEMPORARY BOARD") OF THE JERSEY VILLAGE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT (THE "DISTRICT") AND THE CITY COUNCIL (THE "COUNCIL") OF THE CITY OF JERSEY VILLAGE (THE "CITY"), CANVASSING THE RETURNS OF THE JOINT SPECIAL ELECTION HELD WITHIN THE DISTRICT'S BOUNDARIES BY THE CITY AND DISTRICT ON THE 1ST DAY OF MAY, 2021, FOR THE PURPOSE OF VOTING FOR OR AGAINST THE PROPOSITION CREATING THE DISTRICT DEDICATED TO FIRE SAFETY AND EMERGENCY MEDICAL SERVICES PROGRAMS, AND THE ADOPTION OF A SALES TAX AT A RATE OF ONE-HALF OF ONE PERCENT (0.5%) TO FUND THE DISTRICT, AND THE CONCURRENT ABOLITION OF THE ONE-HALF OF ONE PERCENT (0.5%)

JOINT MEETING OF THE CITY COUNCIL & THE TEMPORARY BOARD OF THE
FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES
DISTRICT – May 10, 2021

SALES TAX FOR PROPERTY TAX RELIEF; AND FOR THE PURPOSE OF VOTING FOR OR AGAINST THE PROPOSITION THAT SHOULD THE CREATION OF THE DISTRICT BE AUTHORIZED, THE COUNCIL MAY APPROVE AN ORDINANCE TO APPOINT THE COUNCIL AND THE CITY MANAGER OF THE CITY TO SERVE AS THE BOARD OF DIRECTORS OF THE DISTRICT; FINDING THAT NOTICE OF THE JOINT SPECIAL ELECTION WAS PROPERLY HELD AND THE RETURNS THEREOF MADE BY THE PROPER OFFICIALS IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS; DECLARING THE CREATION OF THE DISTRICT AND THE ADOPTION OF A SALES TAX AT THE RATE OF ONE-HALF OF ONE PERCENT (0.5%) TO FUND THE DISTRICT; DECLARING THAT THE ONE-HALF OF ONE PERCENT (0.5%) SALES TAX FOR THE PROPERTY TAX RELIEF FUND BE ABOLISHED; AND DECLARING THAT THE COUNCIL AND THE CITY MANAGER SHALL SERVE AS THE BOARD OF DIRECTORS OF THE DISTRICT; AND, PROVIDING AN EFFECTIVE DATE.

After the Ordinance passed, Andrew Mitcham Mayor and President of the Temporary Board stated the following:

This concludes the canvass of the Joint Special Election held on May 1, 2021 for the City Jersey Village and the Temporary Board of the Fire Control Prevention and Emergency Medical Services District with a total of 1288 voters.

D. Adjourn

There being no further business on the Agenda the meeting was adjourned at 7:13 p.m.

Lorri Coody, City Secretary



**FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT
CITY OF JERSEY VILLAGE, TEXAS
AGENDA REQUEST**

AGENDA DATE: June 21, 2021

AGENDA ITEM: D

AGENDA SUBJECT: Election of Officers

Dept./Prepared By: Lorri Coody, City Secretary

Date Submitted: May 19, 2021

EXHIBITS:

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

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

On May 1, 2021, the City conducted a Joint Special Election with the Temporary Board of the Fire Control Prevention, and Emergency Medical Services District. As a result, the following Propositions were approved by a majority of the voters:

Proposition A: Create the District with 0.5% sales tax and abolish Property Tax Relief

Proposition B: Establish the District's Board of Directors

With the creation of the District, LGC Section 344.103 requires that the Board of Directors elect from among its members a president and vice president. Additionally, the Board shall appoint a Board Secretary. The person who performs the duties of auditor for the political subdivision shall serve as treasurer for the district.

All officers of the FCPMSD will serve a term of one year beginning June 21, 2021.

This item is to address the requirements of LGC Section 344.103.

RECOMMENDED ACTION:

MOTION: Elect Officers

FCPEMSD MEETING PACKET FOR THE MEETING TO BE HELD ON JUNE 21, 2021

**FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT
CITY OF JERSEY VILLAGE, TEXAS
AGENDA REQUEST**

AGENDA DATE: June 21, 2021

AGENDA ITEM: E

AGENDA SUBJECT: Consider Resolution No. 2021-02, establishing the Fire Control Prevention, and Emergency Medical Services District's fiscal year, setting forth procedures for adopting the District's budget.

Dept./Prepared By: Lorri Coody, City Secretary

Date Submitted: May 19, 2021

EXHIBITS: [Resolution No. 2021-02](#)

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

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

On May 1, 2021, the City conducted a Joint Special Election with the Temporary Board of the Fire Control Prevention, and Emergency Medical Services District. As a result, the following Propositions were approved by a majority of the voters:

Proposition A: Create the District with 0.5% sales tax and abolish Property Tax Relief

Proposition B: Establish the District's Board of Directors

With the creation of the District, this item is for the Board of Directors to consider a proposed Resolution that will:

1. Set the District's fiscal year (LGC Sec. 344.201); and
2. Adopt procedures for adopting the District's budget (LGC Sec. 344.204 (f)).

RECOMMENDED ACTION:

MOTION: To approve Resolution No. 2021-02, establishing the Fire Control Prevention, and Emergency Medical Services District's fiscal year, setting forth procedures for adopting the District's budget.

FCPEMSD MEETING PACKET FOR THE MEETING TO BE HELD ON JUNE 21, 2021

RESOLUTION NO. 2021-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE JERSEY VILLAGE FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT (THE “DISTRICT”) ESTABLISHING THE DISTRICT’S FISCAL YEAR AND SETTING FORTH PROCEDURES FOR ADOPTING THE DISTRICT’S BUDGET.

* * * * *

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE JERSEY VILLAGE FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT:

SECTION 1. THAT the fiscal year of the Jersey Village Fire Control Prevention, and Emergency Medical Services District (the “District”) shall begin on the first (1st) day of October and shall end on the thirtieth (30th) day of September of each calendar year of the District’s existence (the “Fiscal Year”); provided, however, the initial Fiscal Year shall begin on June 1, 2021, and end on September 30, 2021. The Fiscal Year shall also constitute the District’s budget and accounting year.

SECTION 2. THAT the following procedures shall govern the adoption of an annual budget (the “Budget”) for the District:

- a. **Public hearing required.** Not later than the twenty-first (21st) day prior to the first month of each Fiscal Year, the District’s Board of Directors (the “Board”) shall hold a public hearing on the proposed Budget for the upcoming Fiscal Year; provided, however, that the public hearing on the proposed Budget for the initial Fiscal Year shall be held not later than the thirtieth (30th) day prior to the first day of the initial Fiscal Year.
- b. **Publication of time, date, and place of public hearing.** The Board shall publish notice of the time, date, and place of the public hearing on the proposed Budget in a newspaper with general circulation in the District not later than the seventh (7th) day before the date of the hearing.
- c. **Public hearing before the Board held.** At the public hearing conducted by the Board, all residents of the District are entitled to be present and participate in the hearing.
- d. **Adoption of the Budget by the Board.** After the public hearing on the proposed Budget, the Board shall adopt the Budget for the upcoming Fiscal Year.
- e. **Submission of the Budget to the City Council of the City of Jersey Village.** Within ten (10) days after the Budget is adopted or deemed adopted by the Board, the Board shall submit the Budget to the City Council (the “Council”) of the City of Jersey Village (the “City”).
- f. **Public hearing before the Council required.** Not later than the tenth (10th) day prior to the first month of each Fiscal Year of the District, the Council shall hold a public hearing on the Budget adopted by the Board for the upcoming Fiscal Year.
- g. **Publication of time, date, and place of public hearing before the Council.** The Council shall publish notice of the time, date, and place of the public hearing on the Budget adopted

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by the District in a newspaper with general circulation in the District not later than the seventh (7th) day before the date of the hearing.

- h. Public hearing before the Council held.** At the public hearing conducted by the Council, all residents of the District are entitled to be present and participate in the hearing.
- i. Approval of the Budget by the Council.** After the public hearing on the Budget, the Council shall approve or reject the Budget submitted by the Board. The Council may not, on its own accord, amend the Budget. If the Council rejects the Budget, the Council and the Board shall meet and together approve the Budget.
- j. Amendment of the Budget.** The Board may amend the Budget after the beginning of the Fiscal Year with approval of the Council.

PASSED AND APPROVED THIS THE 21st DAY OF JUNE, 2021.

BOBBY WARREN, PRESIDENT

ATTEST:

Lorri Coody, City Secretary



**FIRE CONTROL PREVENTION, EMERGENCY MEDICAL SERVICES DISTRICT
CITY OF JERSEY VILLAGE, TEXAS
AGENDA REQUEST**

AGENDA DATE: June 21, 2021

AGENDA ITEM: F

AGENDA SUBJECT: Consider Resolution No. 2021-03, authorizing the execution of a Management Agreement with the City of Jersey Village, Texas.

Department/Prepared By: Lorri Coody, City Secretary **Date Submitted:** May 19, 2021

EXHIBITS: [Resolution No. 2021-03](#)
[Exhibit A](#) – Management Agreement

BUDGETARY IMPACT:	Required Expenditure:	\$	0,000.00
	Amount Budgeted:	\$	0,000.00
	Appropriation Required:	\$	0,000.00

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

Section 344.159 of the Local Government Code provides that the FCPMSD Board “may contract with a public agency or private vendor to assist in the administration or management of the district or to assist in the review of applications for funding available under this chapter.”

This item is to authorize a Management Agreement between the District and the City as authorized by Section 344.159 of the Local Government Code.

RECOMMENDED ACTION:

MOTION: To approve Resolution No. 2021-03, authorizing the execution of a Management Agreement with the City of Jersey Village, Texas.

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RESOLUTION NO. 2021-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE JERSEY VILLAGE FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, AUTHORIZING THE EXECUTION OF A MANAGEMENT AGREEMENT WITH THE CITY OF JERSEY VILLAGE, TEXAS.

WHEREAS, Section 344.159 of the Local Government Code provides that the Fire Control Prevention, and Emergency Medical Services District Board “may contract with a public agency or private vendor to assist in the administration or management of the district or to assist in the review of applications for funding available under this chapter;” and

WHEREAS, the Board of Directors desires to enter into a management agreement with the City of Jersey Village for the provision of administrative services as provided for under Section 344.159 of the Local Government Code; **NOW THEREFORE**,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE JERSEY VILLAGE FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT:

THAT the President of the Board of Directors of the Fire Control Prevention, and Emergency Medical Services District (the “District”) is authorized to execute on behalf of the District a Management Agreement with the City of Jersey Village, Texas in substantially the same form as the attached Exhibit “A”.

PASSED AND APPROVED THIS THE 21st DAY OF JUNE, A.D., 2021.

BOBBY WARREN, PRESIDENT

ATTEST:

Lorri Coody, Secretary



EXHIBIT A

MANAGEMENT AGREEMENT

BETWEEN

THE CITY OF JERSEY VILLAGE

AND

**THE CITY OF JERSEY VILLAGE FIRE
CONTROL PREVENTION,
AND EMERGENCY MEDICAL SERVICES
DISTRICT**

MANAGEMENT AGREEMENT

This Management Agreement (this “Agreement”) is made by and between the City of Jersey Village, a State of Texas home-rule municipality located in Harris County (the “City”), and the Jersey Village Fire Control, Prevention, and Emergency Medical Services District, a State of Texas special district created pursuant to Chapter 344 of the Texas Local Government Code, located in Harris County (the “District”) (with the City and the District each being a “Party”, and collectively, the “Parties”), and is made effective of the date of execution below by the authorized representative of each Party (the “Effective Date”).

RECITALS

WHEREAS, at a special election held May 1, 2021, the voters of the City approved the creation of the District and the levy of a local sales and use tax to fund the operations of the District; and

WHEREAS, the City and the District have the same boundaries; and

WHEREAS, Sec. 344.159 of the Texas Local Government Code provides that the District’s Board of Directors (the “Board”) may contract with the City in order to furnish the staff, facilities, equipment, programs, and services the Board considers necessary for the effective operation of the District; and

WHEREAS the City Council of the City (the “Council”) and the Board agree that it is in the public interest to enter into this agreement by which City will manage and operate District; and, **NOW THEREFORE**,

FOR GOOD AND VALUABLE CONSIDERATION, AND SUBJECT TO THE TERMS AND CONDITIONS HEREIN, THE PARTIES AGREE AS FOLLOWS:

AGREEMENT

SECTION 1. TERM.

This Agreement shall be for a term of one (1) year (the “Term”). The Term shall automatically renew for additional periods of one (1) year throughout the existence of the District.

SECTION 2. TERMINATION.

This Agreement may be terminated by either Party upon ninety (90) days written notice to the other Party, or upon dissolution of the District. Termination shall in no way prejudice the payments due to the City for the services rendered under this Agreement, and the District’s obligation to pay the City for services rendered under this Agreement shall survive the termination of this Agreement.

SECTION 3. THE CITY’S OBLIGATIONS.

A. The City will develop, organize, and manage the programs outlined in the District’s fire control, prevention, and emergency medical services plan and annual budget (the “Programs”). All persons employed in connection with the Programs shall be employees of the City and shall be under the City’s sole control and supervision. All equipment and supplies purchased in connection with the Programs shall be and remain the property of the City.

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- B. The City shall provide the District with quarterly reports of the District's income and expenditures along with the status of each of the Programs. Such reports shall be made for each calendar quarter and shall be provided to the District not later than the last day of the first month of each calendar quarter for the preceding calendar quarter.
- C. The City shall provide the District audited financial statements for each fiscal year. Such financial statements shall be audited by City's independent auditors and shall be provided to the District upon their completion.

SECTION 4. THE DISTRICT'S OBLIGATIONS.

- A. The District shall deposit, or cause to be deposited, into the City's depository bank, to the credit of the City, all sales and use tax funds received by the District from the State Comptroller. The City shall expend such funds only in accordance with District's budget, as may be amended.
- B. The District agrees to pay the City a fee for its services in such amount as may be provided by District's budget, which shall be approved by the Council.
- C. All payments made by the District to the City shall be from the District's current funds.

SECTION 5. JURISDICTION AND VENUE.

This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas; and the sole venue shall be in a court of competent jurisdiction in Harris County, Texas.

SECTION 6. ENTIRE AGREEMENT.

This Agreement embodies the complete agreement of the Parties, superseding all oral or written previous and contemporary agreements between the Parties, which relate to matters in this Agreement. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

SECTION 7. FORCE MAJEURE.

Neither Party shall be required to perform any term, condition, or covenant in this Agreement so long as such performance is delayed or prevented by force majeure, which shall mean acts of God, civil riots, floods, and any other cause not reasonably within the control of the Parties, and which, by the exercise of due diligence, the Parties are unable, wholly or in part, to prevent or overcome.

SECTION 8. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or part of this Agreement shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Agreement as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURES

THE PARTIES HEREBY EXECUTE THIS AGREEMENT ON _____, 2021.

FOR: THE DISTRICT

FOR: THE CITY

BOBBY WARREN, PRESIDENT

BOBBY WARREN, MAYOR

ATTEST:

ATTEST:

Lorri Coody, Board Secretary

Lorri Coody, City Secretary

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