

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JULY 18, 2022, AT 6:00 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 6:31 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, Jennifer McCrea	

The following Planning and Zoning Commission Members were present:

Eric Heno, Vice Chairman	Debra Mergel, Commissioner
Courtney Standlee, Commissioner	Ty Camp, Commissioner
Ashley Brown, Commissioner	

Chairman Rick Faircloth and Commissioner Charles Butler were not present at this meeting.

Staff in attendance: Robert Basford, Assistant City Manager; Mark Bitz, Fire Chief; Kirk Riggs, Chief of Police; Isabel Kato, Finance Director; Maribel S. Frank, Accounting Manager; Laura Capps, Human Resources Manager; Abram Syphrett, Director of Innovation and Technology; and Maria Thorne, Administrative Assistant.

**B. INVOCATION, PLEDGE OF ALLEGIANCE**

1. **Prayer by Jeremy E. Ray American Legion Post 324 Chaplain.**
2. **Pledge by Stefanie Otto, Commander, Jeremy E. Ray American Legion Post 324.**

**C. PRESENTATIONS**

1. **Presentation of Police Department Employee of the Second 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 Second Quarter award to Officer Oscar Garcia.

2. **Employee of Month – Officer Oscar Garcia**

Austin Bless, City Manager, presented the July employee of the month award to Officer Oscar Garcia.

**D. JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION**

1. **Conduct a Joint Public Hearing with the Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article I,**

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**Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.**

Mayor Warren called the item and Vice Chairman Eric Henao announced a quorum for the Planning and Zoning Commission. Mayor Warren opened the Joint Public Hearing at 6:38 p.m., for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.

Mayor Warren called public for comments.

With no one else signing up to speak at the hearing, Mayor Warren and Vice Chairman Henao closed the joint public hearing at 6:39 p.m. and the Planning and Zoning Commission retired from the City Council meeting at 6:39 p.m. to conduct its posted meeting agenda and prepare final reports in connection with this joint public hearing.

*Members of the Planning and Zoning Commission left the Council Chamber at 6:40 p.m. to resume their regular agenda in the Municipal Center Meeting Room.*

**E. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT**

**1. Receive the adopted fiscal year 2022-2023 budget from the Jersey Village Crime Control and Prevention District (CCPD).**

Council received submission of the 2022-2023 fiscal year approved budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through the Board's Secretary, Lorri Coody.

**2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District's budget for the fiscal year 2022-2023.**

Mayor Warren opened the public hearing at 6:40 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2022-2023 Crime Control and Prevention District budget that had previously been submitted to Council by the Jersey Village Crime Control and Prevention District (JVCCPD) Directors for Council's approval.

Mayor Warren called upon City Manager Bless, to give a summary of the 2022-2023 JVCCPD budget. Mr. Bless explained that the budget being presented includes the following 2022-2023 supplementals:

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Item	Cost	Funding Source	Line Item
<i>Detective Sergeant</i>	136,500.00	CCPD	27-5523 / 21-3001
<i>Crime Prevention/Marketing Supplies</i>	3,000.00	CCPD	27-3505 / 21-3505
<i>Crime Scene Processing Equipment</i>	12,000.00	CCPD	27-3523 / 21-3523
<i>Drones &amp; Mapping Software</i>	18,000.00	CCPD	27-3523 / 21-3523
<i>Drone Operator Training</i>	4,000.00	CCPD	27-5029 / 21-5029
<i>(1) Additional Taser</i>	1,700.00	CCPD	27-3523 / 21-3523
<i>Drug Evidence Destruction</i>	3,000.00	CCPD	27-3523 / 21-3523
<i>Vigilant Facial Recognition Software</i>	4,250.00	CCPD	27-5030 / 21-5030
<i>Flock Maintenance Agreement</i>	130,000.00	CCPD	27-5030 / 21-5030
<i>Tyler New World Annual Maintenance</i>	130,275.00	CCPD	27-5030 / 21-5030
<i>Body Camera Warranty</i>	7,000.00	CCPD	27-5030 / 21-5030
<i>Total</i>	\$449,725.00		

With no one signing up to speak on the 2022-2023 JVCCPD budget, Mayor Warren closed the public hearing at 6:41 p.m. and called the next item on the agenda.

**3. Consider Resolution No. 2022-38, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2022-2023.**

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2022-38, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2022-2023. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2022-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2022-2023 CRIME CONTROL AND PREVENTION DISTRICT BUDGET

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

**1. Receive the adopted fiscal year 2022-2023 budget from the Jersey Village Fire Control, Prevention, and Emergency Medical Services District (FCPEMSD).**

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Council received submission of the 2022-2023 fiscal year approved budget from the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) through the Board Secretary, Lorri Coody.

**2. Conduct a public hearing on the Jersey Village Fire Control, Prevention, and Emergency Medical Services District’s budget for the fiscal year 2022-2023.**

Mayor Warren opened the public hearing at 6:43 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2022-2023 Fire Control Prevention, and Emergency Medical Services District budget that had previously been submitted to Council by the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) Directors for Council’s approval.

Mayor Warren called upon Fire Chief, Mark Bitz, to give a summary of the 2022-2023 JVFCPEMSD budget. Chief Bitz explained that the budget being presented includes revenue projections and the following expenses:

Fund 49 - Revenues		PROPOSED REVENUE
49-10-7623	SALES TX-FIRE CONTROLPREV&EMERG	\$ 2,200,000.00

ACCT NO.	DESCRIPTION	BUDGET AMT.
49-26-3504	Wearing Apparel	\$ 46,350.00
49-26-3505	Fire Prevention Supplies	\$ 2,900.00
49-26-5024	Radio Usage Fees	\$ 15,000.00
49-26-5029	Travel and Training	\$ 20,000.00
49-26-5523	Personnel - Fire Control	\$ 1,570,497.00
49-26-5524	Administrative	\$ 24,900.00
49-26-9772	Technology User Fee	\$ 96,373.00
49-26-9791	Equipment User Fee	\$ 419,118.00
	Total	\$ 2,195,138.00

With no one signing up to speak on the 2022-2023 FCPEMSD budget, Mayor Warren closed the public hearing at 6:44 p.m. and called the next item on the agenda.

**3. Consider Resolution No. 2022-39, adopting the Jersey Village Fire Control, Prevention, and Emergency Medical Services District’s Budget for fiscal year 2022-2023.**

With limited discussion on the matter, Council Member McCrea moved to approve Resolution No. 2022-39, adopting the Jersey Village Fire Control Prevention, and Emergency Medical Services District’s Budget for fiscal year 2022-2023. Council Member Singleton seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

RESOLUTION NO. 2022-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2022-2023 FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT BUDGET

**G. FISCAL 2022-2023 MUNICIPAL BUDGET ITEMS**

**1. Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2022-2023.**

Mayor Warren opened the public hearing at 6:45 p.m. in order to give all interested parties the right to appear and be heard concerning the City of Jersey Village proposed municipal budget for the fiscal year 2022-2023.

**Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430** – Mr. Maloy spoke to City Council about this proposed budget. He had questions about the Jersey Meadows Golf Course. He does not believe that taxpayers should have to subsidize this course. He also stated his dissatisfaction concerning the proposed new golf course clubhouse. He feels that this project should have been put to the voters for approval. He went on to explain his understanding concerning the cost of this project and how it has grown over time. He does not support this project.

With no one else signing up to speak, Mayor Warren closed the public hearing at 6:51 p.m. and called the next item on the agenda as follows:

**2. Consider Resolution No. 2022-40, electing to postpone the final budget vote on the 2022-2023 Municipal Budget until August 15, 2022.**

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

Section 102.006 of the Texas Local Government Code (LGC) requires that the governing body of a municipality shall hold a public hearing on the proposed budget. Accordingly, on July 18, 2022, City Council held the public hearing on the proposed 2022-2023 municipal budget, giving all interested parties the right to appear and be heard on the proposed fiscal year 2022-2023 Municipal Budget.

Additionally, Section 102.007 of the LGC requires that the City must take some sort of action on the budget at conclusion of hearing. This action could be a vote to postpone the final budget vote, which is a generally accepted practice.

With no further discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2022-40, electing to postpone the final budget vote on the 2022-2023

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Municipal Budget until August 15, 2022. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2020-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ELECTING TO POSTPONE THE FINAL BUDGET VOTE ON THE 2022-2023 MUNICIPAL BUDGET UNTIL AUGUST 15, 2022.

- 3. Consider Resolution No. 2022-41, setting the maximum proposed ad valorem tax rate; setting date for the public hearing on tax increase; and setting the date City Council will adopt the fiscal year 2022-2023 ad valorem tax rate.**

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

S.B. 2, also known as the Texas Property Tax Reform and Transparency Act of 2019, passed during the 2019 legislative session and made significant changes to the property tax rate setting process.

This bill requires that the Notice of Public Hearing on Tax Increase include, among other things, the Proposed Tax Rate. Since the City intends to hold the Notice of Public Hearing on Tax Increase on August 15, 2022, and given that August 10 is the last date to publish the Notice in the newspaper, it is appropriate that City Council set a “maximum” proposed tax rate. The proposed Resolution accomplishes same.

In approving this Resolution, Council is NOT setting the tax rate for FY 2022-2023, as that will be accomplished during the August 15, 2022, meeting. Approving the Resolution merely states that City Council will not exceed a tax rate of 0.760157 cents per \$100 taxable value. Additionally, the vote approving the Resolution must be a record vote.

With limited discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2022-41, setting the maximum proposed ad valorem tax rate; setting date for the public hearing on tax increase; and setting the date City Council will adopt the fiscal year 2022-2023 ad valorem tax rate. Council Member Sheppard seconded the motion. The record vote follows:

Council Member Wasson:	Aye	Council Member Singleton:	Aye
Council Member Sheppard:	Aye	Council Member McCrea:	Aye
Council Member Mitcham:	Aye		

Mayor Warren, although present, did not vote.

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The motion carried.

RESOLUTION NO. 2022-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING THE MAXIMUM PROPOSED AD VALOREM TAX RATE; SETTING DATE FOR THE PUBLIC HEARING ON TAX INCREASE; AND SETTING THE DATE CITY COUNCIL WILL ADOPT THE FISCAL YEAR 2022-2023 AD VALOREM TAX RATE.

**H. 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.

**Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430** – Mr. Maloy spoke to Council about the Jersey Meadows Golf Course in connection with the cost of the new golf course clubhouse. He wanted to know why the cost of this project has ballooned. He also spoke to the Irrigation Project and the Berm Project as well as golf course revenues. At the close of his comments, City Manager Bless stated that the Golf Course Irrigation Project was never undertaken by the City due to costs.

**Ashley Brown, 15306 Lakeview Drive, Jersey Village, Texas (936) 662-5231** – Ms. Brown spoke to the Council about the Multi Use Ballpark Stadium. She does not support the ballpark and feels that it will be a drain on city revenues. She has issues with the survey that was conducted concerning this project. There were only 600 responses. She felt that the positive responses were lower than she expected. She gave statistics concerning the survey.

**Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832-689-9878)** – Ms. Henao provided information about the amenities of the City's parks to include Clark Henry's Park, Welwyn Park, Jersey Meadow Nature Trail, the Dog Park, and Carol Fox Park. She also gave historical information about Carol Fox who served the City in various positions during the early years of incorporation.

**I. CITY MANAGER'S REPORT**

City Manager, Austin Bless, gave the following monthly report.

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – May 2022, General Fund Budget Projections as of June 2022, Utility Fund Budget Projections – June 2022, and June Quarterly Investment Report.**
- 2. Fire Departmental Report and Communication Division's Monthly Report**

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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**

**J. 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. Item 10 was pulled from the Consent Agenda for further discussion. Accordingly, Item 10 contains discussion information as well as Council's vote. The vote on Items 1 through 9 and 11 are found at the end of the Consent Agenda.

1. **Consider approval of the Minutes for the Regular Session Meeting held on June 20, 2022.**
2. **Consider Resolution No. 2022-42, awarding the bid and authorizing the City Manager to negotiate a contract with Hydromax USA to evaluate and improve the operability of valves located throughout the City's water distribution system.**

**BACKGROUND INFORMATION:**

On June 14, 2022, the City of Jersey Village received a bid for professional services from Hydromax USA to assess, repair and replace valves located throughout the City's water distribution system.

The purpose of the project will be to:

1. Evaluate and improve the operability of valves in the water distribution system through hands-on field activities.
2. Document and integrate the collected information on valves into the City's GIS system and CMMS system and provide data processing services as required to provide a fully functional system to collect, maintain and analyze water component data.
3. Consult with the City on the integration of field-collected data with the utility CMMS system.

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4. Generate work orders to identify those assets that require repair or replacement and provide an estimate of the time, materials, manpower and costs associated with making those repairs.
5. Provide an online project management dashboard allowing the City to monitor the current state of the program, including statistical metrics on the assessment results of the assets, live throughout the project.
6. Perform discretionary infrastructure repair and replacement activities.
7. Define the scope and value of a system-wide asset management program.

The request for qualifications asked potential bidders to provide pricing on a per valve basis. Hydromax USA's per valve pricing can be found on EX A – Pages 38-39.

The City's water distribution system contains approximately 1,300 valves. Based on previously collected valve data, it is estimated that twenty percent of valves within the City's water distribution system will require maintenance.

The scope of work, at minimum, will include the following activities: locate, identify, assess, clean out, inspect, exercise, perform minor repairs, record mapping grade GPS data, create a deliverable database, create work orders, and analyze results.

The cost to evaluate and improve the operability of valves located throughout the City's water distribution system will not exceed \$300,000 and will be paid through Utility CIP funding factored into the 2021-2022 budget.

Hydromax USA has performed similar services for the City of Houston and have been utilized by the Jersey Village Public Works Department for valve exercising and maintenance in the past.

Hydromax USA was the only contractor to submit a bid for the project. Hydromax USA is a reputable company that comes with great recommendations from other municipalities that have used them for various projects similar in nature.

RESOLUTION NO. 2022-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AWARDED THE BID AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH HYDROMAX USA TO EVALUATE AND IMPROVE THE OPERABILITY OF VALVES LOCATED THROUGHOUT THE CITY'S WATER DISTRIBUTION SYSTEM.

3. **Consider Ordinance No. 2022-25, approving the request of the Board of Directors of the Crime Control and Prevention District to amend the 2021-2022 Crime Control and Prevention District's Budget in the amount of \$30,296.00; authorizing the funding associated with Flock Camera annual maintenance contract fees from the Crime Control and Prevention District Fund; amending the annual budget of the City of Jersey Village, Texas for the fiscal year beginning October 1, 2021, and ending September 30, 2022 to reflect these changes.**

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**BACKGROUND INFORMATION:**

The Jersey Village Police Department is requesting the approval of \$30,296.00 to cover the balance due for Flock camera contract maintenance fees. The annual cost per camera increased from \$2,000 to \$2,500 in years 4-6 of the contract. The original amount budgeted did not account for the price increase, due to Flock's billing cycle starting in June. This expenditure will be funded from the Crime Control and Prevention District account.

At tonight's Crime Control and Prevention District meeting, the Board approved a budget amendment to allocate the necessary funds for the additional maintenance contract fees. This agenda item is to approve the request of the CCPD and amend the budget in the amount of \$30,296 for the Flock Camera maintenance contract fees, and in turn, amend the City's budget for fiscal year 2021-2022 to reflect this change.

**ORDINANCE NO. 2022-25**

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE REQUEST OF THE BOARD OF DIRECTORS OF THE CRIME CONTROL AND PREVENTION DISTRICT TO AMEND THE 2021-2022 CRIME CONTROL AND PREVENTION DISTRICT'S BUDGET IN THE AMOUNT OF \$30,296.00; AUTHORIZING THE FUNDING ASSOCIATED WITH FLOCK CAMERA ANNUAL MAINTENANCE CONTRACT FEES FROM THE CRIME CONTROL AND PREVENTION DISTRICT FUND; AMENDING THE ANNUAL BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022 TO REFLECT THESE CHANGES; AND PROVIDING FOR SEVERABILITY.

**4. Consider Resolution No. 2022-43, appointing members to the Village Center Local Government Corporation Board of Directors.**

**BACKGROUND INFORMATION:**

The Village Center Local Government Corporation (VCLGC) Board is composed of the Mayor of the City (the "Mayor"), the five (5) members of the Council, the Chair of the Board of the City's Tax Increment Reinvestment Zone No. 2 (the "TIRZ"), a hotel and hospitality industry development representative, and the City Manager.

The term of office for the Mayor and Council shall be concurrent with and be necessitated upon each member's active term of office with the City and shall cease when the member is no longer actively serving in such capacity.

The initial Board shall be those Directors named in the Articles of Incorporation. Subsequent Directors shall be appointed by position to the Board by City Council.

Since the initial appointments of the Mayor and Council to the Board in 2019, Andrew Mitcham, Greg Holden, and Gary Wubbenhorst no longer sit on City Council. Bobby Warren, who served in Council Member, Place 3 in 2019, is now Mayor. Council

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Members Sheri Sheppard, Place 2; Michelle Mitcham, Place 3; and Jennifer McCrea, Place 5 all took office after the initial appointments were made in 2019.

Given the chain of events that have occurred on the City Council since 2019, it is necessary to make the following appointments to the VCLGC Board at this time:

Bobby Warren, Mayor  
Sheri Sheppard, Council Member, Place 2  
Michelle Mitcham, Council Member Place 3  
Jennifer McCrea, Council Member Place 5

RESOLUTION NO. 2022-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE VILLAGE CENTER LOCAL GOVERNMENT CORPORATION BOARD OF DIRECTORS.

- 5. Consider Ordinance No. 2022-26, repealing Chapter 34, Article III, Section 34-134 of the Code of Ordinances of the City of Jersey Village, entitled “Protection Against Climbing or Roof Rats”; providing a penalty; providing for severability; providing for publication; and providing an effective date.**

**BACKGROUND INFORMATION:**

This roof rat ordinance was adopted by the city in 1977. Since that time the city has adopted many new building codes. These new building codes have much better ways to prevent rats from entering buildings and to handle rat infestations.

Furthermore, the code proposed to be repealed also requires buildings to not have trees within 10 feet of it. Our landscaping requirements can come into contradiction with this section of ordinance.

In a review of 12 other cities in Texas for this ordinance only 2 have the ordinance in place, and both adopted it in 1977, which was the same time we adopted it. It appears all of the other cities have repealed this section of their ordinances if they ever had it.

ORDINANCE NO. 2022-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, REPEALING CHAPTER 34, ARTICLE III, SECTION 34-134 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, ENTITLED “PROTECTION AGAINST CLIMBING OR ROOF RATS”; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- 6. Consider Resolution No. 2022-44, approving a Facilities Locating and Marking Service Contract with USIC Locating Services, LLC to provide utility locating and marking services; authorizing the City Manager to execute the Service Contract.**

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**BACKGROUND INFORMATION:**

The City has received a proposal from USIC Locating Services, LLC for assistance with utility line locating and marking. In 2021, the City of Jersey Village Public Works Department received a total of 2,388 requests for utility locating through the Texas 811 dig/locate notification system.

In reviewing the department's historical data, utility service line damages are mostly caused by right-of-way contractors working in the area. USIC's locating services would be more than beneficial considering the time and effort Public Works has spent mitigating water-related emergencies over the last several years. Currently, there are two vacancies in the department's infrastructure division and multiple big-ticket projects taking place in the near future, thus warranting the need for additional assistance from outside parties. Considering the City's aging infrastructure, the department will also benefit from USIC's after-hours emergency ticket locates in the event of a utility-related emergency. Additionally, the department plans to utilize USIC's services as a proactive approach to prevent unnecessary water and sanitary emergencies.

USIC's proposed pricing is as follows:

- Per One Call Ticket \$14.00
- Project \$15.00 Per ¼ Hour after first 30 minutes of locating
- Business Hour Emergency Ticket \$40.00 Flat Fee
- After Hour Emergency Ticket \$40.00 Flat Fee
- Non-At Fault Damage Investigation \$275.00

USIC does not charge for any drive time and the above pricing will have a restoration cap of \$1500.00 per occurrence.

The City Attorney has reviewed and approved the Facilities Locating and Marking Service Contract. This service will be funded through the Utility Fund consultant services line item. This line item currently has a remaining budget of \$44,440.83. As of July 1, 2022, the City has received a total of 698 locate requests; the department anticipates the service will cost approximately \$20,000 per year.

USIC Locating Services, LLC is a Buyboard vendor; USIC was the only vendor to submit a proposal for utility locating services. The only other vendor providing similar services on Buyboard did not respond to the request. In addition, USIC locates utilities throughout the City regularly for other entities including CenterPoint and AT&T.

**RESOLUTION NO. 2022-44**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING A FACILITIES LOCATING AND MARKING SERVICE CONTRACT WITH USIC LOCATING SERVICES, LLC TO PROVIDE UTILITY LOCATING AND MARKING SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SERVICE CONTRACT.

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- 7. Consider Ordinance No. 2022-27, amending the Jersey Village Code of Ordinances, by adding to chapter 14, Building and Development, Article XX, Miscellaneous Regulations: Penalty, a new Section 14-666 regulating portable toilets; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

**BACKGROUND INFORMATION:**

During our last city council meeting a resident brought up some concerns they had with portable toilets being visible during construction projects. Based upon feedback from the City Council, Staff has prepared a proposed ordinance to address the issue.

The ordinance would require portable toilets to be screened from public view, so they are not visible from the street or sidewalk. It also stipulates portable toilets may be located only on private property while construction associated with a building permit is underway.

In coming up with this ordinance, Staff worked with the Building Official, as they are familiar with similar ordinances in other cities. We ultimately decided to propose this ordinance which closely matches an ordinance in Hilshire Village.

**ORDINANCE NO. 2022-27**

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE JERSEY VILLAGE CODE OF ORDINANCES, BY ADDING TO CHAPTER 14, BUILDING AND DEVELOPMENT, ARTICLE XX, MISCELLANEOUS REGULATIONS: PENALTY, A NEW SECTION 14-666 TO REGULATE PORTABLE TOILETS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 8. Consider Ordinance No. 2022-28, amending the Personnel Policy to issue paid parental leave associated with the birth of an employee's own child or the placement of a child with the employee in connection with adoption or foster care.**

**BACKGROUND INFORMATION:**

The Family Medical Leave Act of 1993 (FMLA) is a United States labor law that requires covered employers to provide employees with job-protected and unpaid leave of qualifying medical and family reasons. FMLA allows for unpaid leave limited to a total of 12 weeks in any 12-month period.

The FMLA unpaid leave is permitted for various specified purposes, not just a birth or placement event. Thus, use of FMLA unpaid leave for other purposes (*e.g.*, based on the employee's own serious health condition or to care for certain family members with a serious health condition) can—depending on the timeframe in which it is taken—limit the amount of FMLA unpaid leave available for a birth or placement event, and thus limit the amount of paid parental leave that can be substituted for it. (Employees may request to

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use their vacation or sick leave to cover other periods of time outside of FMLA leave periods in accordance with policy.)

For those employees who do not qualify for FMLA, paid parental leave will be issued as if they did qualify for FMLA.

**PURPOSE:**

The purpose for this policy is the balance the demands of the workplace with the needs of families, to promote a stability and economic security of families, and to promote interests in preserving family integrity. We want to entitle employees to take reasonable leave for the birth or placement of a child. To accomplish these purposes, we want to be consistent with the Equal Protection Clause of the Fourteenth Amendment, minimizes the potential for employment discrimination on the basis of sex by ensuring generally that leave is available for all employees on a gender-neutral basis and to promote the goal of equal employment opportunity for women and men. Employment standards that apply to one gender have serious potential for encouraging employers to discriminate against employees and applicants for employment for that gender, hence the reason we want to include both maternity and paternity leave.

**BENEFIT:**

Congress did a study and found that the number of single-parent households in which the single parent or both parents work is increasing significantly. They also found it is important for the development of children and the family unit that fathers and mothers be able to participate in early childrearing.

For women, there has been a direct correlation with increase time spent with their child to an increase in breastfeeding time which is an overall health benefit to both mom and baby. Not only does it offer a benefit to employees, but organizations see an increase in employee morale, productivity, and labor force attachment/attraction which helps in recruiting top talent.

The lack of employment policies to accommodate working parents can force individuals to choose between job security and parenting, which is something that we do not want our employees to have to do.

Paid parental leave offers economic security to families during this significant life event and gives employees dealing with such events the peace of mind that are not in jeopardy of losing their much relied upon income; all without impacting the City's budget.

The Federal Government currently gives paid parental leave to eligible employees under the US Code Title 5. Along with the Federal Government, the City of Jersey Village would also like to extend this benefit to its employees.

The policy as proposed would provide full time employees with more than 1 year of service to the city 12 weeks of paid parental leave at their full salary. If an employee has less than 1 year of service to the city 12 weeks of paid parental leave at 50% of their salary.

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If both parents are employees of the city, both employees may access the paid benefits of this policy for no more than two concurrent weeks.

Leave under this policy is associated with the birth of an employee's own child or the placement of a child with the employee in connection with adoption or foster care.

In order to be approved for this leave, an employee must:

- Submit a request for leave that should be supported by a certification issued by the health care provider of the employee or of the son or daughter, as appropriate. Per FMLA guidelines, a certification provided will be sufficient if it states:
  - The date on which the birth, placement, or fostering commenced
  - The probable duration of the leave
  - The appropriate medical facts within the knowledge of the healthcare provider regarding the condition
  - A statement that the employee is needed to care for the son or daughter and an estimate of the amount of time that such employee is needed to care for such son or daughter

Paid parental leave is available to eligible employees only in connections with the birth or placement of a son or daughter that occurs on or after policy has been implemented.

This policy will be administered by the Human Resources Department and is intended to run concurrent with FMLA for those that qualify.

As an alternative to this the City looked at short term disability insurance as an option. The cost for that was approximately \$45,000 on an annual basis. The cost of this leave policy is substantially less than that amount, but would change every year based on the number of people that would utilize it. Short term disability insurance would also come with a large amount of other issues the city would need to work through as it could be used for a wide variety of other things, not just parental leave. Employees have the opportunity to purchase short term disability insurance on their own through a payroll deduction if they choose to. As such we have opted to not recommend this, but instead recommend the parental leave policy.

ORDINANCE NO. 2022-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ADOPTING A PAID PARENTAL LEAVE POLICY FOR ALL FULL-TIME PERSONNEL FOR UP TO 12 WEEKS OF PAID LEAVE FOR THE BIRTH OR PLACEMENT OF A CHILD.

9. **Consider Resolution No. 2022-45, authorizing the City Manager to enter into an agreement with Brookstone Construction for the CMAR preconstruction services for the Jersey Meadow Golf Course Club House.**

**BACKGROUND INFORMATION:**

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At the last Council meeting the City Council authorized the City Manager to begin negotiating a contract with Brookstone Construction for CMAR services for the new club house.

On June 23, 2022, staff held an introductory meeting with FGM Architects and Brookstone Construction to meet the project team and discuss the project outline and timeline. During the meeting the project's definition of success was discussed and outlined.

The standard contract outlines the preconstruction services and would only obligate the City of Jersey Village for the cost of those services (\$18,500).

A guaranteed maximum price (GMP) amendment would be presented at a later date after the drawings have been completed and the project is completely bid to the market. This agreement does outline the construction phase services that will apply if the GMP is agreed to.

The proposed contract is included in the meeting packet for your review.

RESOLUTION NO. 2022-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BROOKSTONE CONSTRUCTION FOR THE CMAR PRECONSTRUCTION SERVICES FOR THE JERSEY MEADOW GOLF COURSE CLUB HOUSE.

- 10. Consider Ordinance No. 2022-29, amending the Capital Improvements Fund Budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022 in the amount not to exceed \$363,013 by increasing line item 10-91-7092 (police building remodel) from the Capital Improvements Fund Balance to cover the cost of the Police Department Remodel; and authorizing the City Manager to execute all documents with Brown & Root for construction services and to purchase the necessary furnishings from Coastal Office Solutions and Grainger.**

**BACKGROUND INFORMATION:**

The Police Department is asking for approval of an interior remodel project. This project is a result of our Communication Center relocating to the Fire Department, which provided us with some additional square footage. In addition to converting the old Communication Center into an office and interview room, we are recommending renovation of the entire building since funding is available from the police department expansion and remodel project in 2009. These renovations will allow us to utilize our current space more efficiently while providing staff with an updated work environment.

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This project includes Brown and Root renovating our building and purchasing new furniture from Coastal Office Solutions, along with a refrigerated evidence locker for the Property Room.

The project NOT TO EXCEED estimate came in at \$363,013. The renovation will be completed by Brown & Root, for a price of \$249,000. The furniture will be purchased from Coastal Office Solutions, for a price of \$102,013. Grainger will provide a refrigerated evidence locker for the Property Room for a price of \$12,000. Brown & Root, Coastal Office Solutions and Grainger are registered vendors with Buy Board.

This item is to approve the budget amendment, the Standard Contract with Brown & Root and authorize the purchase of furnishings from Coastal Office Solutions and Grainger.

In addition to the background information, Chief Riggs gave detailed information concerning the remodel.

Council engaged in discussion about the remodel and the information presented by Chief Riggs, particularly the cost of the refrigerator. Chief explained that this will be for evidence and there are certain requirements dictated by the State for this type of storage. Most members felt that this remodel is needed as it will provide additional benefits in terms of a healthier work environment.

With no further discussion on the matter, Council Member Wasson moved to approve Ordinance No. 2022-29, amending the Capital Improvements Fund Budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022 in the amount not to exceed \$363,013 by increasing line item 10-91-7092 (police building remodel) from the Capital Improvements Fund Balance to cover the cost of the Police Department Remodel; and authorizing the City Manager to execute all documents with Brown & Root for construction services and to purchase the necessary furnishings from Coastal Office Solutions and Grainger. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2022-29

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CAPITAL IMPROVEMENTS FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 IN THE AMOUNT NOT TO EXCEED \$363,013 BY INCREASING LINE ITEM 10-91-7092 (POLICE BUILDING REMODEL) FROM THE CAPITAL IMPROVEMENTS FUND BALANCE TO COVER THE COST OF THE POLICE DEPARTMENT REMODEL

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PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH BROWN & ROOT FOR CONSTRUCTION SERVICES AND TO PURCHASE THE NECESSARY FURNISHINGS FROM COASTAL OFFICE SOLUTIONS AND GRAINGER.

- 11. Consider Ordinance No. 2022-30, receiving the Planning and Zoning Commission’s Preliminary Report and calling a Joint Public Hearing of the City Council and the Planning and Zoning Commission concerning the application request of Reese Brown, filed on behalf of Miramont Interests, LC, for a specific use permit to allow the operation of child day-care on the 1.43-acre tract of land located at 8630 Jones Road, Jersey Village, TX 77065 within the city limits in zoning District F.**

**BACKGROUND INFORMATION:**

The request for a specific use permit to allow for the operation of a child day-care facility on the 1.43-acre tract of land located at 8630 Jones Road, Jersey Village, TX 77065 within the city limits in zoning District F was filed by Reese Brown on behalf of Miramont Interest, LC on June 16, 2022.

On July 11, 2022, the Commission prepared its preliminary report proposing that Miramont Interests, LC be allowed to operate, as a specific use, a child day-care on the 1.43acre tract of land located at 8630 Jones Road, Jersey Village, TX 77065 within the city limits in zoning District F.

This item is to receive the Planning and Zoning Commission’s preliminary report and call a joint public hearing for August 15, 2022.

**ORDINANCE NO. 2022-30**

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE APPLICATION OF REESE BROWN, FILED ON BEHALF OF MIRAMONT INTERESTS, LC, FOR A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF CHILD DAY-CARE ON THE 1.43ACRE TRACT OF LAND LOCATED AT 8630 JONES ROAD, JERSEY VILLAGE, TX 77065 WITHIN THE CITY LIMITS IN ZONING DISTRICT F.

Item 10 was removed from the consent agenda. The discussion and vote for the removed item can be found under the appropriate Consent Agenda item. The vote for the remaining items NOT removed from the Consent Agenda is as follows:

Council Member Sheppard moved to approve items 1 through 9 and 11 on the Consent Agenda. Council Member Wasson seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

**K. REGULAR AGENDA**

- 1. Consider Resolution No. 2022-46, designating a Chairperson to preside over the meetings of the Board of Directors of the Village Center Local Government Corporation and setting the Chairperson's term of office.**

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

According to Article VII, Sec. C of the Village Center Local Government Corporation Articles of Incorporation, the Mayor and City Council shall designate a Chairperson to preside over all meetings of the Board of Directors of the Village Center Local Government Corporation.

The term of office for the Chairperson shall be set by City Council as authorized by the Village Center Local Government Corporation's By-laws at Article III (A).

This item is to make the appoint of the Chairperson and set the term of office.

After discussing the matter, Council Member Mitcham moved to designate Bobby Warren to preside over the meetings of the Board of Directors of the Village Center Local Government Corporation and set the Chairperson's term of office to begin July 18, 2022 and end July 17, 2023. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2022-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING A CHAIRPERSON TO PRESIDE OVER THE MEETINGS OF THE BOARD OF DIRECTORS OF THE VILLAGE CENTER LOCAL GOVERNMENT CORPORATION AND SETTING THE CHAIRPERSON'S TERM OF OFFICE.

- 2. Consider Resolution No. 2022-47, receiving the proposed Multi-Use Ballpark Market and Financial Feasibility Study completed by Convention Sports and Leisure International.**

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

In February 2022 the City Council authorized a feasibility study to be done for a potential stadium to be a part of the development in TIRZ 2.

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Tonight representatives from Convention Sports and Leisure International (CSL) are here to present the findings of their study. A copy of the study is included in this packet with the resolution.

The consultants gave a presentation concerning the findings of the study.

Council engaged in discussion about the study and presentation. There was a question about the market survey. Some Members wanted to understand how duplicate survey responses were addressed by the study. The consultant explained how these were addressed and stated that the survey responses were not factored into the actual operations of a ballpark and revenues were not affected.

There was also discussion about COVID and how existing parks were affected. Some wanted to know if the trends included in the study were geared toward 2019 information due to COVID. The consultant explained that the study looks at 5-year market information.

There was discussion about the Fredericksburg Park in Virginia and how they got private funding. The consultant explained that sometimes the developer wants to have control, and; therefore, is willing to fund the project. She also explained public funding and how that works. When the City owns the facility there is a substantial tax savings, however, on the Fredericksburg Park, the City of Fredericksburg did commit a \$1M fee for 30 years. So, they did not put money into the project upfront, but does contribute over time.

Funding of this type of project was discussed, including a Local Government Corporation and the benefits of same as well as bond revenues.

Managing the facility and the costs were discussed. The consultant pointed out that these expenses were included in the projections explained in the study and the presentation.

Council Member Mitcham stated she recently visited the Cleburne Park. Based upon her experience, she wondered if the presentation included use of the facility outside games. The consultant confirmed that these type activities are included in the study.

Some members wanted to know if there was market information comparing a Park in Jersey Village to that in Sugar Land and can Houston support more than two minor league teams. The consultant confirmed that two teams can be supported. She also stated that due to our location, more people will be enticed to come to a Jersey Village Park.

Income from the Park was discussed. Also, surrounding businesses were discussed. Given that we are not that big, individuals attending will not be staying overnight. With this in mind, how will we avoid becoming like the other parks with nothing around the stadiums. The consultant explained that the most successful stadiums are those that have development around the Park within at least 6 months of the Park opening.

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Drive time to the stadium were discussed. The study uses a 30-minute drive time. The consultant explained the reasoning behind using a 30-minute drive time. The reality is that Houstonians are used to driving to attend events.

With no further discussion on the matter, Council Member Mitcham moved to approve Resolution 2022-47, receiving the proposed Multi-Use Ballpark Market and Financial Feasibility Study completed by Convention Sports and Leisure International. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2022-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PROPOSED MULTI-USE BALLPARK MARKET AND FINANCIAL FEASIBILITY STUDY COMPLETED BY CONVENTION SPORTS AND LEISURE INTERNATIONAL.

- 3. Consider Resolution No. 2022-48, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.**

Eric Henao, Vice Chair, Planning and Zoning Commission, introduced the item. Background information is as follows:

The Planning and Zoning Commission met on June 15, 2022, to discuss and take appropriate action regarding amendments to the Code of Ordinance at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.

The Commission recommended in its preliminary report, which was submitted to Council at its June 20, 2022, meeting, that Council amend the Code of Ordinance at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1. Additionally, the Commission requested that a Joint Public Hearing be ordered for July 18, 2022.

On July 18, 2022, the City Council and the Planning and Zoning Commission conducted the joint public hearing and the Planning and Zoning Commission makes its final report and recommendation that Council amend the Code of Ordinance at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.

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There was discussion about the sale of CBD products. City Attorney Pruitt stated that we cannot prohibit these sales; and therefore, this Ordinance permits the City to control the location. Existing businesses are grandfathered. The recommendation was unanimous.

With limited discussion on the matter, Council Member McCrea moved to approve Resolution No. 2022-48, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2022-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT CONCERNING THE PROPOSAL TO AMEND THE JERSEY VILLAGE CODE OF ORDINANCES AT CHAPTER 14, ARTICLE I, SECTION 14-5 BY ADDING DEFINITIONS FOR CERTAIN USES; AND BY AMENDING CHAPTER 14, ARTICLE IV, SECTION 14-109.1(A) TO INCLUDE ADDITIONAL USES IN ZONE J-1.

- 4. Consider Ordinance No. 2022-31, amending Chapter 14 "Building and Development", Article I "General", Section 14-5 "Definitions" by adding definitions for certain uses; by amending Chapter 14, Article IV, Division 2, Section 14-109.1(a) to include additional uses in Zone J-1; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

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

The Planning and Zoning Commission met on June 15, 2022, to discuss and take appropriate action regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.

The Planning and Zoning Commission submitted its preliminary report to Council on June 20, 2022, and a Joint Public Hearing was ordered for July 18, 2022.

On July 18, 2022, the City Council and the Planning and Zoning Commission conducted a joint public hearing and the Planning and Zoning Commission made its final report and recommendations.

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All of the procedural requirements of Section 14-84(c)(2) items a through c have been met. This item is to approve the ordinance that will enact the final recommendation from the Planning and Zoning Commission regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article I, Section 14-5 by adding definitions for certain uses; and by amending Chapter 14, Article IV, Section 14-109.1(a) to include additional uses in Zone J-1.

With limited discussion on the matter, Council Member Mitcham moved to approve Ordinance No. 2022-31, amending Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by adding definitions for certain uses; by amending Chapter 14, Article IV, Division 2, Section 14-109.1(a) to include additional uses in Zone J-1; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2022-31

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, ARTICLE I “GENERAL”, SECTION 14-5 “DEFINITIONS” BY ADDING DEFINITIONS FOR CERTAIN USES; BY AMENDING CHAPTER 14, ARTICLE IV, DIVISION 2, SECTION 14-109.1(a) TO INCLUDE ADDITIONAL USES IN ZONE J-1; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

**L. 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;

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- 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 thanked all for coming. She thanked the police and fire departments for their service at the 4<sup>th</sup> of July event. It was a good event.

**Council Member Sheppard**: Council Member Sheppard had no comments.

**Council Member Wasson**: Council Member Wasson agreed the 4<sup>th</sup> of July event was great. He encouraged all residents to take precautions during these very hot days. He also pointed out the Staff benefits change to offer paid parental leave, stating that this change is a small expense with a great reward.

**Council Member Singleton**: Council Member Singleton felt the July 4<sup>th</sup> celebration was great. He also felt that the order of the agenda should be moved to accommodate attendees when several meetings are scheduled for the same start time. He recognized the service of award recipient Officer Oscar Garcia.

**Council Member McCrea**: Council Member McCrea also felt the July 4<sup>th</sup> celebration was great. She congratulated Laura Capps on getting her Human Resources Certification. She also recognized the Jersey Village Run Club.

**Mayor Warren**: Mayor Warren also felt the July 4<sup>th</sup> celebration was great. It was well attended. We are set to review the proposed City budget. He invited all to attend.

**Upon completion of Agenda Items A through L, City Council took a short recess in order to reconvene the remaining agenda item M. Work Session Agenda, including Budget Items in the City of Jersey Village Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas.**

Mayor Warren called a short recess at 8:08 p.m. The meeting resumed in the Civic Center Meeting Room at 8:23 p.m. with a quorum of the City Council present.

**M. WORK SESSION AGENDA**

**1. Review and discuss the proposed fiscal year 2022-2023 municipal budget.**

Austin Bless, City Manager, introduced the 2022-2023 budget work session stating that this budget represents many hours of work by Staff in coming up with a reasonable budget that continues funding the priorities of the community.

He gave the highlights from his budget memo. We have 1.3 in supplementals, that represent the things that we need to do. The largest part represents the cost of additional firefighters.

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He mentioned that there will be projections for setting the tax rate and noted that a large portion of the discussions will be concerning projects in the CIP.

He gave information concerning the revenues. Some wanted to know the status of the current budget. City Manager Bleess stated that currently we are sitting at breakeven based upon the tax rate built in that raises \$631,480 in additional revenues.

The last date to set the tax rate without voter approval is August 15, 2022. With the current budget voter approval is not needed. Alternative dates were discussed for setting the tax rate. City Manager Bleess stated it could be set during the September City Council Meeting if City Council sets a rate that does not exceed the lower of the voter approval rate or the de minimis rate.

The increase in taxes, taking into consideration the recent tax exemptions, was discussed. If Council sets the tax rate at 0.760157 cents per \$100 taxable value, residents claiming the over 65 exemption will pay an increase of \$27 in taxes annually and for those claiming a homestead exemption, taxes would increase by \$45, plus or minus \$10 annually. The average home in Jersey Village is valued at \$333,000. The cover sheet for the budget was discussed and the numbers included therein. City Manager Bleess explained the numbers. The information included on page 10 of the proposed budget was reviewed and discussed. The good news is that the increase in taxes would be manageable. The benefits that Jersey Village offers residents were discussed.

Some felt that due to the value that residents receive, we should not focus on cutting valuable items from the budget. Others felt that raising the tax rate is kind of a slap in the face given we just raised exemptions. It was pointed out that costs are going up for both the residents and the City.

City Manager Bleess stated that should we set the tax rate at the voter approval rate (0.760157 cents per \$100 taxable value), the increase for those with homestead exemption will be \$116 annually and \$99 annually for those with an over-65 exemption. This calculation was based upon a lower valuation than \$333,000.

The revenues were reviewed line by line and discussed. Pool Membership fees were discussed. If increased, it would adjust the numbers in the proposed budget. It was noted that the previous rate change was not well accepted because it was too great because we have not been adjusting regularly. So, it would be appropriate to address increases as needed.

Pool fees for comparable pools in the area were discussed. Also, attendance at our pool because surrounding pools are closed due to increased staffing costs was discussed. Nonetheless, it is hard to compare pools based on price due to demographics. Some members felt that the fees should be based upon expenses to operate the pool.

The supplementals for the pool were discussed. Currently they total \$55K.

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Assistance City Manager Basford stated that we are seeing a spike in non-resident attendance at the pool. He gave statistical information to support this finding.

Ambulance service fees and billing practices were discussed. City Manager Bleess explained that historically, we do not bill the resident for anything. We only accept what the resident's insurance pays. The write off was discussed. We billed \$1.6 M and we only collected \$250,000. We are only collecting 12%. Chief Bitz explained that most is driven by Medicare. The practice of other cities was discussed. Some cities have a fee on the water bill that is nominal, and it goes into a fund to pay for this service. Some members were not in favor of charging residents for this service. Some felt that a special meeting to discuss this issue is needed.

Total revenues are projected at \$18.6M.

In completing the review of revenues, City Council proceeded to a review of the expenses. What follows are the discussions of Council had on these items.

**Department 11 - Administration**

Discussion was had for the food item. It was noted that the Police department and Fire department have a vending machine. Some members felt that the City should provide drinks and snacks to employees. The cost is minimal, but the feedback is great. Chief Bitz explained that the vending machine in the Fire department is provided by the volunteers and the monies earned go back to the volunteers.

The expenses for this item was discussed.

Texas Legislative Services was discussed. City Manager Bleess explained that this is required by State Law.

Election service was discussed. Most supported Harris County running our elections.

**Department 12 – Legal and Other Services**

Legal fees were discussed. Most of this line item goes to Olson and Olson for legal services. The interfund transfers were discussed. City Manager Bleess explained these expenses.

The TIRZ 3 Project was discussed. City Manager Bleess explained that only one homeowner is interested in selling their home in FY 2022-2023.

The Capital Replacement transfer was discussed. It is adjusted for inflation.

**Department 13 – Information Technology**

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There was discussion about the Parks and Recreation Department software with a mobile solution. Assistant Manager Basford explained the status of finding a vendor for this project. Computer Equipment expenses and CAD Maintenance fees were discussed.

The third-party help desk contract was discussed. Staff is reviewing this contract and services provided. Given that a part-time employee is leaving, it could be that the City would be better served by adding the monies paid to the part-time employee and the monies paid to the help desk consultants to create a full time position to provide help desk assistance.

**Department 14 - Purchasing**

No discussion on this item.

**Department 15 – Accounting Services**

Single audits conducted for grant monies were discussed.

**Department 16 – Customer Service**

No discussion on this item.

**Department 19 – Municipal Court**

No discussion on this item.

**Department 21 – Police**

Overtime for the current year was discussed along with the STEP program. Chief Riggs explained that during COVID, the STEP program was not worked. Additionally, younger officers are not willing to work overtime or the STEP program. The overtime budget includes paying officers to work City events. Chief explained the STEP program and how it works. Traffic enforcement was discussed in detail.

**Department 23 – Communications**

Worker's Comp and Health Insurance was discussed. City Manager Bleess explained that this year it has been separated out across departments, while in the past all of these expenses were charged to Administration. Radio usage fees were discussed. Chief Bitz explained this fee goes to Cy Fair and is the cost to use their air ways.

**Department 25 – Fire Department**

There will be a total of 15 fulltime paid firefighters on Shift. We currently have nine. If we get the grant, which is 100% paid for over three years, it will be an additional six per shift or 21.

**Department 30 – Public Works**

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Training was discussed and its importance.

**Department 31 – Community Development**

The CRS Program was discussed. Currently residents get a 15% discount. At a level 5 they will get a 25% discount.

**Department 32 – Streets**

The sidewalk program was discussed.

**Department 33 – Building Maintenance**

The electric contract increases were discussed. We pay less than a homeowner pays.

**Department 35 – Solid Waste**

There was no discussion on this item.

**Department 36 – Fleet Services**

Line item 36-4520 was discussed. Some wondered if the City had its own storage tanks for fuel if that would be a better rate. City Manager Bleess explained that at the pump we do get a discount and we do not pay the taxes.

**Department 38 – Recreation**

Staffing increases were discussed. These increases were needed in order to staff the pool as lifeguards were at a shortage and the market was not supporting the need. Thus, it was necessary to increase wages. July 4<sup>th</sup> and Founder's Day events were discussed. Assistant City Manager Basford explained the expenses and how some of that will be off-set with event revenues. The large increases for these two events were discussed. Some Members wanted to know about the use of volunteer staffing. The actual expenditure for Founder's Day was \$41K. Assistant City Manager Basford explained that there were quite a few one-time expenses for things like signage and cones that will be used for future events at no cost.

**Department 39 – Parks**

There was discussion about the need to remove the sand spurs at the volleyball court. There was discussion about the landscaping. Assistant Manager Basford explained that the landscaping will be in compliance with our landscaping and branding plan. The mulch was explained. It is for the playground. The plants are to be red, white and blue in accordance with branding standards. Some members wondered why the plants have to be red, white and blue. Some members wanted a low maintenance approach. Pool equipment is now on the replacement plan.

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The aging pool was discussed. The pool will need to be replaced within the next 5 to 10 years. But it will be resurfaced in 2024. The estimated cost is \$1.2M currently. This project should be added to the CIP. Assistant City Manager Basford stated that when the time comes, it will be advantageous to get stakeholder input.

**N. ADJOURN**

There being no further business on the agenda the meeting was adjourned at 10:32 p.m.



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Lorri Coody, TRCM, City Secretary