

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 15, 2022, AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Warren at 7:01 p.m. with the following present:

Mayor, Bobby Warren	City Manager, Austin Bleess
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	

Council Members Michelle Mitcham and Jennifer McCrea participated in the meeting via videoconference.

The following Planning and Zoning Commission Members were present:

Rick Faircloth, Chairman	Debra Mergel, Commissioner
Eric Henao, Vice Chairman	Ty Camp, Commissioner
Ashley Brown, Commissioner	

Commissioners Charles A. Butler, III and Courtney Standlee 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; Abram Syphrett, Director of Innovation and Technology; and Maria Thorne, Administrative Assistant.

B. INVOCATION, PLEDGE OF ALLEGIANCE

1. **Prayer and Pledge by:** Ty Camp, Planning and Zoning Commissioner

C. PRESENTATIONS

1. **None**

D. CITIZENS' COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their comments to the City Council.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 - Mr. Maloy spoke to City Council about the tax rate of .7425. He also gave some background information about discussions had by City Council during the July budget workshops concerning the setting of the tax rate to fund the budget. He also gave background information about prior year discussions and increasing taxes. He feels that the City has amassed a large sum of monies in order to fund projects, including a new City Hall on the south side of US HWY 290. He is against setting a rate that will bring in more funds than are needed.

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Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to City Council about raising taxes. He is not in favor of raising taxes. He mentioned that we have a golf course that is still being supported by the City. He also mentioned that salaries for City staff are too high. He feels that \$500,000 was wasted on the TIRZ project. He is not in favor of the new project for Village Center and he feels that the TIRZ3 project costs too much. He mentioned that he feels that the program for selling our vehicles is not working and he wants to put the golf course club house on hold.

Eric Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 567-0974 – Mr. Henao spoke to City Council about the Citizen’s Academy for police and fire that he and his wife have recently attended. It was a very good and informative class and he recommends that all residents take this class. It is a free opportunity. He also mentioned that learning about these departments and their equipment has helped him understand how tax dollars are used. He feels we have one of the best fire departments and police departments in the Houston area. He feels that the Council and Staff take care of matters to the best of their ability and make sure that residents are taken care of with needed services. As a result, he willingly pays his taxes.

Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 689-9878 – Ms. Henao spoke to City Council about historical information concerning the growth of the City during the 1970’s. Her research included information concerning home expansions, streets, safety for citizens, street signs and much more.

E. JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION

- 1. Conduct a Joint Public Hearing with the City of Jersey Village Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) 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.**

Mayor Warren called the item and Chairman Rick Faircloth announced a quorum for the Planning and Zoning Commission. Mayor Warren opened the Joint Public Hearing at 7:21 p.m., for the purpose of receiving oral comments from any interested person(s) 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. He made note that all notice and posting requirements have been met. Mayor Warren called for public comments.

With no one else signing up to speak at the hearing, Mayor Warren and Chairman Faircloth closed the joint public hearing at 7:21 p.m. and the Planning and Zoning Commission retired from the City Council meeting at 7:21 p.m. to conduct its posted meeting agenda and prepare a final report in connection with this joint public hearing.

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F. FISCAL 2022-2023 MUNICIPAL BUDGET AND TAX RATE ITEMS

1. Discuss and take appropriate action concerning any final changes to the proposed 2022-2023 Municipal Budget.

Isabel Kato, Finance Director, introduced the item. Background information is as follows:

Section 102-007 of the Local Government Code provides that upon closing the public hearing on the proposed municipal budget, the governing body of the municipality shall take action on the proposed budget. In doing so, the governing body may make any changes to the budget that it considers warranted by the law that is in the best interest of the municipal taxpayers.

City Council held the public hearing on the 2022-2023 Municipal Budget on July 18, 2022, and postponed adopting the budget until August 15, 2022.

Additionally, on July 18, 2022, City Council passed Resolution No. 2022-41, setting the maximum proposed ad valorem tax rate of \$0.760157 per \$100 value, as this was the rate used to calculate revenues for the proposed budget that was the subject of the public hearing held on July 18, 2022.

Since the public hearing, on July 25, 2022, under Tax Code Section 26.01(a-1), the Harris County Chief Appraiser has provided us with an estimate of taxable property and our tax accessor has calculated the no-new-revenue tax rate and the voter-approval tax rate based upon these certified estimates as follows:

PROPOSED TAX RATE	\$0.760157 per \$100
NO-NEW-REVENUE TAX RATE	\$0.670132 per \$100
VOTER-APPROVAL TAX RATE	\$0.837308 per \$100

Taking into consideration this updated information, this item is to provide City Council the opportunity to discuss and provide for any needed changes to the 2022-2023 municipal budget before adopting same.

Additionally, after reviewing the calculations based upon the certified estimates, Staff recommends a budget for FY 2022-2023 based upon a lower tax rate of \$0.7425 per \$100 value as opposed to the rate of \$0.760157 which was initially used for the proposed budget reviewed during the public hearing on July 18, 2022.

If City Council agrees with Staff's recommendation, the following changes to the FY 2022-2023 Municipal Budget are required:

01-10-7621 Current Property Taxes	\$44,429
01-12-9760 Transfer to CIP	\$34,829
01-15-3520 Food	\$ 2,400
01-21-3520 Food	\$ 2,400
01-25-3520 Food	\$ 2,400

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01-39-3520 Food	\$ 2,400
10-90-9751 Transfer from Gen Fund	\$34,839
10-91-7040 FD Covered Park	(\$50,000)
10-91-7049 Christmas Tree	(\$43,000)
10-91-7056 Carol Fox Pk Sandbox	(\$150,000)
10-91-7073 FY 24 Street Project	(\$162,596)
10-91-7090 Police Bay Door Rep	(\$21,000)
10-91-7103 New City Hall Const	(\$11,000,000)
10-91-7138 Seattle St (Senate W)	\$891,560
10-91-7139 FY 23 Street Project	(\$3,356,200)
10-91-7142 PMP Dog Park Imp	(\$30,000)
10-91-7148 Decorative Street Lights	(\$300,000)

Mayor Warren explained that we must work on estimates from the Harris County Appraisal District, and receiving these numbers are not always as prompt as we would like, which makes budget work difficult.

He mentioned that we have increased the exemption and these changes will enable the City to keep the tax rate the same as last year.

It was explained that City Council over the years has made a conscious effort to bring salaries in the city up to market in order to attract experienced and knowledgeable workers, especially for the police and fire departments. This year, we will increase staff in the fire department by six (6) new fire fighters and one (1) new sergeant in the police department.

It was also mentioned that our staff is cognizant that they work for the residents, and they continuously look for ways to save monies. An example is the in-house remodeling work done in the fire department.

With no further discussion on the matter, Council Member Singleton moved to approve the City of Jersey Village 2022-2023 budget revisions which include a change in the General fund and Capital Improvement Fund. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

2. Consider Ordinance No. 2022-32, adopting the City of Jersey Village municipal budget for fiscal year 2022-2023.

Isabel Kato, Finance Director, introduced the item. Background information is as follows:

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Council has held the public hearings on the proposed budget for fiscal year 2022-2023 and the proposed budget has been filed with the City Secretary.

Section 102-007 of the Local Government Code requires that upon conclusion of the public hearing on the budget, the City Council shall take action on the proposed budget. In addition, a vote to adopt the budget must be a record vote.

Staff recommends that Council adopt a budget for fiscal year 2022-2023 that includes the recommended changes discussed in the previous item.

The budget adoption process was discussed in order to help residents understand this very complex process.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance No. 2022-32, adopting the City of Jersey Village municipal budget for fiscal year 2022-2023. Council Member Mitcham 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.

The motion carried.

ORDINANCE NO. 2022-32

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; MAKING APPROPRIATIONS AS REFLECTED IN SAID BUDGET; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

3. Conduct a separate vote to ratify the property tax increase reflected in the 2022-2023 budget adopted on August 15, 2022.

Isabel Kato, Finance Director, introduced the item. Background information is as follows:

Council has adopted a budget that will raise more total property taxes than last year's budget by \$675,909 a 10.0% increase from last year's budget, and of that amount \$27,813,994 is tax revenue to be raised from new property added to the tax roll this year.

Section 102.007(c) of the Local Government Code states that a governing body adopting a budget that requires raising more revenue from property taxes than in the previous year, must conduct a separate vote to ratify the property tax increase reflected in the newly adopted budget.

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This vote, must be a record vote that is in addition to and separate from the vote adopting the budget or the vote required to set the tax rate that is provided for by Chapter 26, Tax Code, or other law.

Mayor gave some background information on this process in order to clarify for the residents the actions that the Council is taking by the record vote.

There were questions about the numbers provided in this item. Finance Director Kato explained the numbers being presented.

With no further discussion on the matter, Council Member Singleton moved to ratify the property tax increase of 10.0% reflected in the newly adopted municipal budget for fiscal year 2022-2023. 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.

The motion carried.

4. Conduct Public Hearing on proposed tax rate increase.

Mayor Warren opened the public hearing at 7:38 p.m. in order to give all interested persons the right to express support for or opposition to the proposed tax rate of \$0.760157 per \$100; a rate that exceeds the lower of the voter-approval rate or the no-new-revenue rate.

After opening the meeting, he called upon Isabel Kato, Finance Director to summarize the subject of the public hearing. Ms. Kato gave information outlining the proposal to set the tax rate at \$0.760157 per \$100; a rate that exceeds the lower of the voter-approval rate or the no-new-revenue rate.

In completing the Finance Director's summary, Mayor Warren called upon those signing up to speak as follows:

Susan Edwards, 16001 Jersey Drive, Jersey Village, Texas (713) 817-3290 – Ms. Edwards stated that she appreciates the information provided in this meeting thus far. She stated that she was thankful about receiving the salary information. She was first against this tax increase mainly because we were recently given an increase in the home exemptions and now, we are getting a tax rate increase. She felt it was hypocritical. However, now it appears that the budget has been worked out and she appreciates all the work done concerning this process.

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In response to Ms. Edward's comments, City Council explained the process. The State regulates the process, and we must work on estimates early on in order to avoid exceeding the voter-approval rate. As such we set a maximum tax rate back in July. This rate is typically adjusted as we get better information from the Appraisal District.

Brian McCauley, 16401 Smith Street, Jersey Village, Texas (346) 324-4816 – Mr. McCauley spoke to City Council about his position concerning increased taxes. He feels that City Council should be speaking about lowering taxes not raising taxes. He wants Council to keep it in mind that residents want lower taxes and if this means the City doing less, he is okay with that. He is against any tax rate increase.

Mayor Warren explained that he too does not want to pay higher taxes, but sometimes City services are needed, and these services have a cost. He gave the example of the need for new fire fighters and the expense incurred with these additions. He also gave information about inflation over the past five (5) years and stated that taking these numbers into account taxes are less now than they were back in 2017.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to City Council about the budget and the tax rate. He spoke about the changes that were approved to the 2022-2023 municipal budget and how the rate to fund the budget was lowered from .761057 to .7425. He went on to express his displeasure with the funds spent on the City's golf course. He does not support golf course expenditures.

Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to City Council about city salaries and these expenditures. He stated that he felt offended by comments made earlier during this meeting. He also felt that cuts could be made in the budget in order to reduce the tax rate. He made mention to the increased growth in our parks and recreation department and how the number of City sponsored events have increased over the years. He feels that we need to pull back on these types of events so that the need to raise taxes is reduced.

In response to Mr. Field's comments concerning City events, City Council pointed out that the fireworks show given at a recent City event was not paid for by City funds. The show was paid for by a private business.

With no other persons signing up to speak to express support for or opposition to the proposed tax rate of \$0.760157 per \$100; a rate that exceeds the lower of the voter-approval rate or the no-new-revenue rate, Mayor Warren closed the public hearing at 8:03 p.m.

- 5. Discuss and consider approval of a motion to set the tax rate for debt service for tax year 2022.**

BACKGROUND INFORMATION:

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Adoption of the debt service tax rate must be a separate item on the agenda for the meeting. The Council must adopt the debt service tax rate by official action and the rate must equal the calculated and described debt service rate outlined in Section 26.04 (e) (3) (c) of the Tax Code.

The staff recommends that Council adopt the debt service tax rate of \$.118731 per \$100 value for the tax year 2022. The suggested motion for this item is below.

With limited discussion on the matter, Council Member Singleton moved to approve setting the Debt Service tax rate of \$.118731 per \$100 value for the year 2022. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

6. Discuss and consider approval of a motion to set the tax rate for maintenance and operation for tax year 2022.

BACKGROUND INFORMATION:

Adoption of the maintenance and operation tax rate must be a separate item on the agenda for the meeting. The adoption of this tax rate will take place after adopting the budget for the year.

If City Council adopted a budget for FY 2022-2023 based upon Staff's recommendations of a lower tax rate of \$0.7425 per \$100 value for the tax year 2022, then the Maintenance and Operation (M&O) tax rate of \$.623769 is needed to fund the 2022-2023 Municipal Budget.

If City Council adopted a budget for FY 2022-2023 based upon the rate used to calculate revenues for the proposed budget that was the subject of the public hearing held on July 18, 2022, then the Maintenance and Operation (M&O) tax rate of \$.641426 is needed to fund the 2022-2023 Municipal Budget.

Nonetheless, the Governing Body is permitted to set an M&O tax rate no higher than \$.641426 which is the Voter Approval M&O tax rate.

With no further discussion on the matter, Council Member Wasson moved to approve setting the Maintenance and Operation tax rate of \$.623769 per \$100 value for the year 2022. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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7. Consider Ordinance No. 2022-33, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2022.

BACKGROUND INFORMATION:

Council is required to adopt the ordinance setting the tax rate for debt service; setting the tax rate for maintenance and operation; and setting the total tax rate for the year 2022.

In setting the 2022 ad valorem tax rate, the Governing Body may not set a tax rate that exceeds the voter approval rate of \$.837308 which, if set, is effectively a 12.77% percent increase in the tax rate compared to last year.

In setting the rate, it should be noted that if a rate of \$.760157 is used it is effectively a 2.38 percent increase in the tax rate compared to last year, and if a rate of \$.7425 is used it is effectively a 0% percent increase in the tax rate compared to last year, either one of these rates are needed to fund the 2022-2023 Municipal Budget.

All these rates exceed the no-new-revenue tax rate but not the voter-approval tax rate.

The vote on the ordinance setting a tax rate that exceeds the no-new-revenue tax rate must be a record vote, and at least 60 percent of the members of the governing body must vote in favor of the ordinance.

A motion to adopt an ordinance setting a tax rate that exceeds the no-new-revenue tax rate must be made in the following form:

"I move that the property tax rate be increased by the adoption of a tax rate of \$.7425 which is effectively a 0% percent increase in the tax rate."

Council engaged in discussion about the 0% increase. City Attorney Pruitt explained that the 0% mentioned in this item is not correct. It should be .10799066. Accordingly, the numbers were recalculated in accordance with the tax code as follows:

If a rate of \$.760157 is used it is effectively a 13.43% percent increase in the tax rate compared to last year, and if a rate of \$.7425 is used it is effectively a 10.80% percent increase in the tax rate compared to last year, either one of these rates are needed to fund the 2022-2023 Municipal Budget.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance No. 2022-33, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2022; providing for the date on which such taxes shall be due and payable; and providing for penalty and interest on all taxes not timely paid. I further move that property taxes be increased by the adoption of a tax rate of \$.7425, which is effectively a .10799066 percent increase in the tax rate. Council Member Mitcham seconded the motion. The record vote follows:

Council Member Wasson: Aye Council Member Singleton: Aye

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Council Member Sheppard: Aye Council Member McCrea: Aye
Council Member Mitcham: Aye

Mayor Warren, although present, did not vote.

The motion carried.

ORDINANCE NO. 2022-33

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE YEAR 2022; PROVIDING FOR THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

G. CITY MANAGER’S REPORT

City Manager Bless gave his report. In addition to the report, he told City Council that the City was not approved for the 2021 home elevations grant.

1. **Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – June 2022, General Fund Budget Projections as of July 2022, and Utility Fund Budget Projections – July 2022.**
2. **Fire Departmental Report and Communication Division’s Monthly Report**
3. **Police Department Monthly Activity Report, Warrant Report, Staffing/Recruitment Report, and Police Open Records Requests**
4. **Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report**
5. **Public Works Departmental Status Report**
6. **Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, and Parks and Recreation Departmental Report**
7. **Code Enforcement Report**

H. 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.

1. **Consider approval of the Minutes for the Regular Session Meeting held on July 18, 2022, and the Special Session Meeting held on July 19, 2022.**

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- 2. Consider Resolution No. 2022-49, receiving the 2022 calculations for the no-new-revenue tax rate and the voter-approval tax rate, which were calculated using the certified estimate of taxable value required by Section 26.04 (c-2) of the Tax Code.**

BACKGROUND INFORMATION:

The 86th Legislature passed SB2, which made substantial changes to the Tax Code.

One of the major changes involves calculating the no-new-revenue tax rate (formally known as the effective tax rate) and the voter-approval tax rate (formally known as the rollback rate) based upon a certified estimate of taxable value as set out in the Tax Code at Section 26.04 (c-2).

In accordance with Section 26.04 (c-2) these rates have been calculated and in accordance with Section 26.04(e) are being submitted to you for receipt.

This item is to receive the 2022 calculations for the no-new-revenue tax rate and the voter-approval rate.

RESOLUTION NO. 2022-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE 2022 CALCULATIONS OF THE NO-NEW-REVENUE TAX RATE AND THE VOTER-APPROVAL TAX RATE, WHICH WERE CALCULATED USING THE CERTIFIED ESTIMATE OF TAXABLE VALUE REQUIRED BY SECTION 26.04 (C-2) OF THE TAX CODE.

- 3. Consider Resolution No. 2022-50, authorizing the City Manager to enter into a contract with SewerVue Technology to conduct a pilot project to assess the condition of the City's wastewater infrastructure utilizing Pipe Penetrating Radar technology.**

BACKGROUND INFORMATION:

The City of Jersey Village has received a proposal from SewerVue Technology to conduct a pilot project to assess the condition of the City's wastewater infrastructure. Deterioration of underground infrastructure is a common problem faced by utility providers of all types. Current inspection technologies are unable to effectively analyze utility lines made of concrete and similar materials. SewerVue Technology has the ability to provide unobtainable information about defects within or outside water, wastewater and other industrial pipes.

The City's sanitary sewer lines are mostly made up of cast iron, c900 and pvc. SewerVue utilizes a remote surveyor robot to merge closed circuit television camera (CCTV) data with ground penetrating radar measurements to accurately identify pipe wall thickness, composition defects, rebar cover, locate cracks, voids and cavities outside underground pipes. The technology provides imagery of all identified elements, allows for preventative maintenance planning with a thorough assessment of critical infrastructure and enables the prevention of failures.

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The scope of work for the project pilot will include a crawler-based inspection of 5,931.31 linear feet of sanitary sewer lines to include:

- 10” line located between De Lozier Street and St. Helier Street
- 10” line located between Jersey Drive and Acapulco Drive
- 15” line located along Village Drive

The cost to conduct a pilot project to assess the City’s wastewater infrastructure will be paid through the Utility Fund Consultant Services line item (lines 02-45-5510 and 02-45-5515) factored into the 2021-2022 budget.

SewerVue Technology has performed assessments for utility providers and municipal clients worldwide. Additionally, SewerVue Technology owns the Patents to the Pipe Penetrating Radar technology developed by their team of engineers. This is a proprietary/sole source technology.

RESOLUTION NO. 2022-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SEWERVUE TECHNOLOGY TO CONDUCT A PILOT PROJECT TO ASSESS THE CONDITION OF THE CITY’S WASTEWATER INFRASTRUCTURE UTILIZING PIPE PENETRATING RADAR TECHNOLOGY.

4. **Consider Resolution No. 2022-51, consenting to and approving the appointment of Robert Swanson as the Harris County Municipalities Waste Disposal representative to the Gulf Coast Authority Board of Directors for the term ending August 31, 2023.**

BACKGROUND INFORMATION:

The City of Jersey Village is a member of the Municipalities Waste Disposal Council (MWDC) and the MWDC appoints one Representative to the Gulf Coast Authority. A letter from Scott Bounds, General Counsel for the Gulf Coast Authority, is attached explaining the appointment process.

Accordingly, this item is to consent to and approve the appointment of Robert Swanson (a former council member for the City of Hilshire Village in Harris County) as the Harris County Municipalities Waste Disposal representative to the Gulf Coast Authority Board of Directors for the term ending August 31, 2023.

RESOLUTION NO. 2022-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CONSENTING TO AND APPROVING THE APPOINTMENT OF ROBERT SWANSON AS THE HARRIS COUNTY MUNICIPALITIES WASTE DISPOSAL REPRESENTATIVE TO THE GULF COAST AUTHORITY BOARD OF DIRECTORS FOR THE TERM ENDING AUGUST 31, 2023.

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Council Member Sheppard moved to approve items 1 through 4 on the Consent Agenda. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

I. REGULAR AGENDA

- 1. Consider Resolution No. 2022-52, receiving the Planning and Zoning Commission’s Final Report 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.**

Rick Faircloth, Chairman, Planning and Zoning Commission, introduced the item. Background information is as follows:

The Planning and Zoning Commission met on July 11, 2022, to discuss and take appropriate action regarding 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.

The Commission recommended in its preliminary report, which was submitted to Council at its July 18, 2022, meeting, that Council grant 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. Additionally, the Commission requested that a Joint Public Hearing be ordered for August 15, 2022.

On August 15, 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 recommending that City Council grant 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.

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2022-52, receiving the Planning and Zoning Commission’s Final Report 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. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2022-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S FINAL REPORT 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.

- 2. Consider Ordinance No. 2022-34, amending the Comprehensive Zoning Ordinance of the City, by granting Miramont Interests, LC, a specific use permit (the “specific use permit”) to allow the operation of a 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; providing requirements and conditions for the specific use permit; containing findings and other provisions relating to this ordinance; providing a penalty in an amount not to exceed two thousand dollars (\$2,000) for violations hereof; providing for severability; and providing an effective date.**

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

The Planning and Zoning Commission met on July 11, 2022, to discuss and take appropriate action regarding 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.

The Planning and Zoning Commission submitted its preliminary report to Council on July 18, 2022, and a Joint Public Hearing was ordered for August 15, 2022.

On August 15, 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.

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 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.

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With limited discussion on the matter, Council Member Wasson moved to approve Ordinance No. 2022-34, amending the Comprehensive Zoning Ordinance of the City, by granting Miramont Interests, LC, a specific use permit (the “specific use permit”) to allow the operation of a 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; providing requirements and conditions for the specific use permit; containing findings and other provisions relating to this ordinance; providing a penalty in an amount not to exceed two thousand dollars (\$2,000) for violations hereof; providing for severability; 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. 2022-34

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS (THE “CITY”), AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, BY GRANTING MIRAMONT INTERESTS, LC, A SPECIFIC USE PERMIT (THE “SPECIFIC USE PERMIT”) TO ALLOW THE OPERATION OF A 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; PROVIDING REQUIREMENTS AND CONDITIONS FOR THE SPECIFIC USE PERMIT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THIS ORDINANCE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR VIOLATIONS HEREOF; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

J. MAYOR AND COUNCIL COMMENTS

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

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

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- 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 Singleton: Council Member Singleton encouraged residents to be aware of the safety needs of students returning to school. He thanked all for coming tonight and encourages continued communications.

Council Member Wasson: Council Member Wasson stated that in this City we receive incredible value for every dollar spent by the City. He pointed out that during the budget sessions, some residents encouraged increasing taxes if needed. He went on to explain the cost of services provided by the City. He feels that our tax dollars are used effectively to maintain the City and its infrastructure.

Council Member Sheppard: Council Member Sheppard stated it takes constraint and balance to not spend a lot of money, but we must provide improvements and we must take care of our amenities. None of us want to pay more than we have to, but we must do the best we can to provide the services that we need.

Council Member McCrea: Council Member McCrea expressed her surprise that she was only contacted by one resident concerning the budget and tax rates. She also made comment that the State has implemented a wacky system that creates confusion. She encourages residents to call with their questions in order to get true information. She thanked all the employees for their hard work. She really respects staff's decisions and hard work.

Council Member Mitcham: Council Member Mitcham agrees with all that has been said. She appreciates the time and effort put into the budget by Staff. She feels that they help save dollars. She encourages residents to contact Council Members with their questions.

Mayor Warren: Mayor Warren thanked everyone for their comments and for attending the meeting. He also encourages residents to contact City Council with questions. It is difficult to respond to questions during the meeting as the law prevents the Council from responding to questions that are not specifically on the agenda. He explained the budget and tax process and how Council works hard to find a compromise so that all comes together and works.

K. ADJOURN

There being no further business on the agenda the meeting was adjourned at 8:31 p.m.



Lorri Coody, TRMC, City Secretary