

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 23, 2023, AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Warren at 7:00 p.m. with the following present:

Mayor, Bobby Warren	City Manager, Austin 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	

Staff in attendance: Robert Basford, Assistant City Manager; Mark Bitz, Fire Chief; Kirk Riggs, Chief of Police; Isabel Kato, Finance Director; and Abram Syphrett, Director of Innovation and Technology.

B. INVOCATION, PLEDGE OF ALLEGIANCE

- 1. Prayer and Pledge by:** Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.

C. PRESENTATIONS

- 1. Presentation of Police Department Employee of the Fourth Quarter and the 2022 Employee of the Year 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 Fourth Quarter award to Officer Shelby Skero and the 2022 Employee of the Year Award to Officer Oscar Garcia.

- 2. Presentation of Employee of the Month Award for January 2023.**

Austin Bleess, City Manager, presented the Employee of the Month of January Award to Barry Coppes.

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 TIRZ2 and the TIRZ3. He also expressed his displeasure about all of the items for this meeting being placed upon the consent agenda. Accordingly, he wants to remove the TIRZ2 and TIRZ3 reports from the consent agenda for further discussion. He went on to give background information about the creation of the TIRZ2, the base tax rate, and the

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evaluation of the property. Mayor explained the reasoning behind the evaluation of the property. Mr. Maloy wanted to know the number of homes purchased in the TITZ3. It was confirmed that the City has purchased three (3) homes. He had additional questions about the location of the homes and the allocation of funds by the City to purchase these homes. He gave background information about the process as he understands it.

Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 206-1184 – Mr. Fields spoke to City Council. He thanked the Police and Fire Departments for their service. He also thanked the City Manager for fixing the streets at Jersey and Rio Grande. He also thanked the Mayor for the Town Hall Meeting on the Stadium. He suggested that in the future, it would be beneficial if the company involved in the project would be introduced to the public. He went on to voice his concern about the cost of the project and KHJR. He would like KHJR replaced. In connection with the TIRZ3 project, he wants to know if the City will be selling the property to investors. City Manager Bless explained the process as discussed by the TIRZ3 Board. He also had questions about the location of the TIRZ3 property that will be sold in 2023. He had comments about the two members on City Council that have ownership in the local brewery, stating that he wants these members to recuse themselves from voting on items pertaining to the selling of alcohol in the City.

Ashley Brown, 15602 Lakeview Drive, Jersey Village, Texas (936) 662-5231 – Ms. Brown spoke to City Council about a complaint having been made concerning a construction sign in her yard. She quoted various laws that she researched stating she has the right to have these signs in her yard. She is upset that she has received this complaint concerning the yard sign. She also stated that she appreciated the Town Hall Meeting concerning the Stadium. However, she is not yet sold that this is best for the City. Council Member McCrea told Ms. Brown that she is the one that had made the complaint and explained her position for same. Council Member Singleton stated his concern for the length of time it took Code Enforcement to address the issue after receiving weeks of complaints. City Manager Bless stated that he checked the records and the letter concerning the sign went out the very date of the complaint. Mayor Warren stated that the City will have to get back to her concerning the legality of the City's Ordinance concerning the sign.

E. CITY MANAGER'S REPORT

City Manager Bless gave the following monthly report. There was a question concerning the legislature and how the bills being filled will affect the City. City Manager Bless stated that TML is a great organization that tracks the bills and provides analysis for our review.

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – October 2022, General Fund Budget Projections as of November 2022, and Utility Fund Budget Projections – November 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**

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4. **Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report**
5. **Public Works Departmental Status Report**
6. **Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, and Parks and Recreation Departmental Report**
7. **Code Enforcement Report**

F. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

Each Consent Agenda item appears below with background information. Items 6 was pulled from the Consent Agenda for further discussion. Accordingly, Items 6 contains discussion information as well as Council's vote, if applicable. The vote on Items 6 is found at the end of the Consent Agenda.

1. **Consider approval of the Minutes for the Regular Session Meeting held on December 19, 2022, the Special Session City Council Meeting held on January 12, 2023, and the Town Hall Meeting held on January 12, 2023.**
2. **Consider Ordinance No. 2023-01, ordering a General Municipal Election to be held on May 6, 2023; authorizing the Mayor, or designee, to enter into a Joint Election Agreement with Harris County to conduct the General Municipal Election on behalf of the City of Jersey Village; designating the places and manner of holding the election; providing for the posting and publication of notice; providing for a runoff election if required; providing a savings clause; providing an open meetings clause; and, providing an effective date.**

BACKGROUND INFORMATION:

The general election for the city will be held on May 6, 2023, for the purpose of electing the following officials of the City:

Mayor
Councilmember, Place 2
Councilmember, Place 3

The deadline for filing for a place on the ballot is February 17, 2023, at 5:00 p.m. and the deadline for ordering an election is also February 17, 2023.

ORDINANCE 2023-01

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 6, 2023; AUTHORIZING THE MAYOR, OR DESIGNEE, TO ENTER INTO A JOINT ELECTION AGREEMENT WITH HARRIS COUNTY TO CONDUCT THE GENERAL MUNICIPAL ELECTION ON BEHALF OF THE CITY OF JERSEY VILLAGE; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING FOR A RUNOFF ELECTION IF REQUIRED; PROVIDING A SAVINGS CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

3. Consider Resolution No. 2023-02, receiving and approving the Fiscal Year 2022 Annual Report for Tax Increment Reinvestment Zone Number 2.

BACKGROUND INFORMATION:

The Tax Increment Financing Act requires all cities or counties that designate a tax increment reinvestment zone to file an annual report with the Comptroller's office and the chief executive officer of each taxing unit that levies property taxes on real property in a reinvestment zone. The report must include:

- the amount and source of revenue in the tax increment fund established for the zone;
- the amount and purpose of expenditures from the fund;
- the amount of principal and interest due on outstanding bonded indebtedness;
- the tax increment base and current captured appraised value retained by the zone; and
- the captured appraised value shared by the municipality or county and other taxing units, the total amount of tax increments received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality or county.

The TIRZ district saw a slight increase in value from the FY21 certified numbers to the FY22 certified numbers. However, the value was still lower than the base value of the TIRZ. As such the city saw no revenue to the TIRZ fund.

The TIRZ Board will meet on January 23, 2023, to review this report. They are expected to recommend that the City Council receive and approve this report.

RESOLUTION NO. 2023-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING AND APPROVING THE FISCAL YEAR 2022 ANNUAL REPORT FOR TAX INCREMEMNT REINVESTMENT ZONE NUMBER 2.

4. Consider Resolution No. 2023-03, receiving and approving the Fiscal Year 2022 Annual Report for Tax Increment Reinvestment Zone Number 3.

BACKGROUND INFORMATION:

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The Tax Increment Financing Act requires all cities or counties that designate a tax increment reinvestment zone to file an annual report with the Comptroller's office and the chief executive officer of each taxing unit that levies property taxes on real property in a reinvestment zone. The report must include:

- the amount and source of revenue in the tax increment fund established for the zone;
- the amount and purpose of expenditures from the fund;
- the amount of principal and interest due on outstanding bonded indebtedness;
- the tax increment base and current captured appraised value retained by the zone; and
- the captured appraised value shared by the municipality or county and other taxing units, the total amount of tax increments received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality or county.

FY22 was the first full year of the TIRZ. The report encapsulates everything that was done during the Fiscal Year.

The TIRZ 3 Board met recently and reviewed this report. They are recommending the City Council receive and approve this report.

RESOLUTION NO. 2023-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING AND APPROVING THE FISCAL YEAR 2022 ANNUAL REPORT FOR TAX INCREMEMNT REINVESTMENT ZONE NUMBER 3.

- 5. Consider Resolution 2023-04, adopting a GASB Statement No. 87 Policy; providing for the incorporation of preamble; and providing an effective date.**

BACKGROUND INFORMATION:

In June 2017, the Governmental Accounting Standards Board (GASB) issued Statement No. 87- Leases. The objective of this statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments.

This Statement increases the usefulness of governments' financial statement by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset.

Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and

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deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities.

The requirements of this Statement are effective for the year ending September 30, 2022. It is important to know that the standard is to be applied retroactively. Therefore, existing leases are to be recognized and measured based on the facts and circumstances of the lease in the period of implementation of Statement No. 87, not inception of the lease.

Our City Auditors, Belt Harris Pechacek, included this item on the management letter for FY 2021.

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ADOPTING A GASB STATEMENT NO. 87 POLICY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

- 6. Consider Ordinance No. 2023-02, amending the annual budget of the City of Jersey Village, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023, in the amount not to exceed \$86,207.16 in order to adjust line item 02-46-7020 to cover the cost of the Seattle Water Plant booster pump replacement project and authorizing the City Manager to execute all documents with CPMR Houston, Inc. for pump repair and replacement services in connection with this project.**

BACKGROUND INFORMATION:

On January 5, 2023, City staff received a bid from CPMR Houston, Inc. through The Interlocal Purchasing System (TIPS) for the Seattle Water Plant Booster Pump Replacement project.

The scope of work will include the following:

- Remove existing pumps.
- Install three new Goulds split pumps with motor and skid.
- Install MCC starter buckets for 75hp motor/pump skids and branch circuit conductors for associated pumps.
- Demo existing branch circuit conductors for booster pumps.
- Demo existing MCC buckets for the existing booster pumps.
- Install new branch circuit conductors for the new booster pumps.
- Install new MCC buckets for the new booster pumps.
- Terminate the new booster pumps and the new MCC buckets.
- Restore power and check for proper voltage, rotation and operation.

Following review of the bid, staff realized that line item 02-46-7020 was under budgeted to cover the expense of the replacement of all three booster pumps at the Seattle Water Plant.

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CPMR Houston, Inc. is a reputable company that has performed similar pump repair and replacement services for various entities and is an associated vendor of The Interlocal Purchasing System (TIPS).

Council engaged in discussion about this item. Some members wanted to know about the bid process. Assistant City Manager Basford explained the process, stating that the initial estimation was off to begin with and as a result there were additional costs. City Manager Bless added that the original estimate was made by an employee that is no longer with the City so Staff was unable to determine how the initial estimate was compiled. The ending result was the additional costs associated with the bid.

With no further discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2023-02, amending the annual budget of the City of Jersey Village, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023, in the amount not to exceed \$86,207.16 in order to adjust line item 02-46-7020 to cover the cost of the Seattle Water Plant booster pump replacement project and authorizing the City Manager to execute all documents with CPMR Houston, Inc. for pump repair and replacement services in connection with this project. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 IN THE AMOUNT NOT TO EXCEED \$86,207.16 BY INCREASING LINE ITEM 02-46-7020 FROM THE UTILITY FUND BALANCE TO COVER THE COST OF THE SEATTLE WATER PLANT BOOSTER PUMP REPLACEMENT PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH CPMR HOUSTON, INC. FOR PUMP REPAIR AND REPLACEMENT SERVICES IN CONNECTION WITH THIS PROJECT.

Items 6 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 Mitcham moved to approve items 1 through 5 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.

G. MAYOR AND COUNCIL COMMENTS

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

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

Council Member Mitcham: Council Member Mitcham had no comments.

Council Member Sheppard: Council Member Sheppard cautioned all about the inclement weather coming tomorrow.

Council Member Wasson: Council Member Wasson wished everyone a Happy New Year.

Council Member Singleton: Council Member Singleton had no comments.

Council Member McCrea: Council Member McCrea had no comments.

Mayor Warren: Mayor Warren wished everyone a Happy New Year.

H. RECESS THE REGULAR SESSION

Mayor Warren recessed the Regular Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 Deliberation Regarding Economic Development Negotiations, Sections 551.072 – Deliberations about Real Property and 551.071 – Consultations with Attorney at 7:35 p.m.

I. EXECUTIVE SESSION

- 1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real**

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Property, and Section 551.071 Consultations with Attorney a closed meeting to deliberate information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.

J. ADJOURN EXECUTIVE SESSION

Mayor Warren adjourned the Executive Session at 8:09 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

K. RECONVENE THE REGULAR SESSION

- 1. Discuss and take appropriate action on items discussed in the Executive Session regarding information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.**

This item was called, but no discussion or action was had.

L. ADJOURN

There being no further business on the agenda the meeting was adjourned at 8:10 p.m.



Lorri Coody, TRMC, City Secretary