

MINUTES OF THE SPECIAL SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JUNE 12, 2023, AT 7:00 P.M. IN THE CIVIC CENTER AUDITORIUM, 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
Council Member, Drew Wasson
Council Member, Sheri Sheppard
Council Member, James Singleton
Council Member, Jennifer McCrea

City Manager, Austin Bleess
City Secretary, Lorri Coody
Assistant City Manager, Robert Basford

Council Member Michelle Mitcham was not present at this meeting. City Attorney Justin Pruitt was not present at this meeting.

B. PUBLIC HEARING

- 1. Conduct a public hearing for the purpose of receiving oral comments from any interested person(s) concerning the City's intent to annex land in the City of Jersey Village's Extra Territorial Jurisdiction in order to provide city services, namely water and sewer services.**

Mayor Warren opened the Public Hearing at 7:01 p.m., for the purpose of receiving oral comments from any interested person(s) concerning the City's intent to annex land in the City of Jersey Village's Extra Territorial Jurisdiction in order to provide city services, namely water and sewer services.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to City Council about the annexation of land in the City's Extra Territorial Jurisdiction (ETJ). He wanted more information about this process. He also spoke to the cost of the consulting fee for the impact fee study. He wanted to know where the City would get the monies to provide for the infrastructure and services needed should the land be annexed. He is against going out for certificates of obligation or for bonds to pay for this project. He is concerned about how that area will receive services such as water and sewer. He gave financial information as he sees it for this project and does not support this expenditure.

Bruce Bowden, 16325 Lewis Street, Jersey Village, Texas (713) 410-9766 – Mr. Bowden spoke to City Council about the annexation. He wanted to know about the petition process, and he had questions as to what constitutes annexation. He wanted to know the rules for annexation. He also mentioned the report by the Capital Improvements Advisory Committee (CIAC) concerning impact fees. He stated that he prefers City Council to take care of this side of US HWY 290 and not the ETJ. He had questions about the timetable of events for the annexation. He wondered why the City is asking to go forward with \$149,000 impact fee study. He also was concerned about a conflict of interest on the CIAC.

Jim Pulliam, 15713 Tenbury Street, Jersey Village, Texas (713) 983-0932 – Mr. Pulliam spoke to City Council about the annexation. He feels that the City should work on commercial development on the north side of US HWY 290 as opposed to the south side of US HWY 290. He gave information on how he believes development on the north side of US HWY 290 and the east side of Jones Road would benefit the residents.

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Frank Maher, 16514 Shanghai, Jersey Village, Texas (713) 376-3151 – Mr. Maher spoke to the annexation. He wondered if part of the annexation includes Charles Street. Council affirmed. He was concerned about the large recycle plant there and was concerned about environmental issues with this establishment. He was concerned if annexed would the City be responsible to monitor this business.

With no one else signing up to speak at the hearing, Mayor Warren closed the public hearing concerning the City's intent to annex land in the City of Jersey Village's Extra Territorial Jurisdiction in order to provide city services, namely water and sewer services. at 7:17 p.m.

C. CITIZENS' COMMENTS

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

Judy Bruner, 15310 Philippine, Jersey Village, Texas (713) 443-9496 – Ms. Bruner spoke to City Council about lights at the Philippine Park. She wants money allocated for this project in the upcoming budget. She also spoke to businesses on the east side of Jones and problems with the problems these businesses experience concerning the ability of residents to access these businesses due to poor traffic flow. She felt it might be a good idea for the City to look into making these businesses more productive by improving traffic conditions in this area.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to the proposed annexation. He was concerned about the residents not having a say on whether this happens. He felt it was not fair that those living in the ETJ are being asked if they want to be annexed, but Jersey Village residents are not being asked if they want this area annexed into the City. He also expressed that he feels that the residents should be asked if they want to fund projects that cost millions of dollars. He gave the example of the Golf Course Clubhouse and Event Center. This project will cost the City some \$10 million dollars. He feels that City Council is not using the City's monies where they are needed.

D. 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 2 was pulled from the Consent Agenda for further discussion. Accordingly, Item 2 contains discussion information as well as Council's vote, if applicable. The vote on Item 1 is found at the end of the Consent Agenda.

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1. **Consider Resolution 2023-27, receiving the Capital Improvements Advisory Committee’s April 2023 Semiannual Progress Report.**

BACKGROUND INFORMATION:

The Capital Improvements Advisory Committee (CIAC) met on May 17, 2023 to discuss the growth rate, capital improvement projects completed, and impact fees collected and to review the capital improvements projects identified in the Capital Improvements Plan in order to compile their April Semiannual Report covering the first six (6) months of fiscal year 2022-2023.

This item is to receive the April 2023 Semiannual Progress Report prepared at the May 17, 2023 CIAC Meeting.

RESOLUTION NO. 2023-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE’S APRIL 2023 SEMIANNUAL PROGRESS REPORT.

2. **Consider Ordinance 2023-14, amending the Impact Fee Fund Budget for the Fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount not to exceed \$149,000 by increasing line item 04-45-5515 (Impact Fee Consultant), approving the proposal from Quiddity Engineering, LLC to conduct a study concerning land use assumptions, capital improvements plan, and impact fees; and authorizing the City Manager to execute all documents with Quiddity Engineering, LLC concerning these consulting services.**

BACKGROUND INFORMATION:

The Capital Improvements Advisory Committee (CIAC) met on May 17, 2023, to review the 2022-2023 growth rate, capital improvement projects completed, the impact fees collected, and the capital improvements projects identified in the Capital Improvements Plan in order to prepare the Capital Improvements Advisory Committee’s April 2023 Semi-Annual Progress Report. After completing their review, the Committee found that the current impact fee structure is NOT sufficient to support the proposed Water and Wastewater Impact Fees Eligible Projects listed in the Capital Improvements Plan and found that it is necessary that the City hire a consultant to conduct an Impact Fee Study to reevaluate the City’s impact fee structure.

As a result of this finding, Staff has reached out to Quiddity Engineering, LLC, formerly Jones and Carter, to obtain a quote for consulting services in accordance with Texas Government Code Section 252.022(a)(4), which specifically exempts contracts for professional services from the competitive bidding requirements. Professional services have been described as those services which are mainly mental or intellectual rather than

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physical or manual and require special knowledge or attainment and a high order of learning, skill, and intelligence.

This item is to approve a budget amendment in the amount of \$149,000 to pay for consulting services connected with performing a study concerning land use assumptions, capital improvements plan, and impact fees, to approve the proposal from Quiddity Engineering, LLC; and to authorize the City Manager to execute all documents with Quiddity Engineering, LLC concerning these consulting services.

Council engaged in discussion concerning this item. It was mentioned that this item is not a part of the annexation, rather it is something that is required by statute. The study is needed to make sure that the impact fee is set appropriately to support projects that are impact fee eligible. This study is required every five years, but the Capital Improvements Advisory Committee (CIAC) recommended that the study be made earlier than the five-year period because of increased costs.

Council engaged in discussion about how costs for projects have increased significantly over the past several years. By doing this study, the costs for impact fee eligible projects can be adjusted. The study will be completed and back to City Council in December.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance 2023-14, amending the Impact Fee Fund Budget for the Fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount not to exceed \$149,000 by increasing line item 04-45-5515 (Impact Fee Consultant), approving the proposal from Quiddity Engineering, LLC to conduct a study concerning land use assumptions, capital improvements plan, and impact fees; and authorizing the City Manager to execute all documents with Quiddity Engineering, LLC concerning these consulting services. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2023-14

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE IMPACT FEE FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 IN THE AMOUNT NOT TO EXCEED \$149,000 BY INCREASING LINE ITEM 04-45-5515 (IMPACT FEE CONSULTANT), APPROVING THE PROPOSAL FROM QUIDDITY ENGINEERING, LLC TO CONDUCT A STUDY CONCERNING LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, AND IMPACT FEES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH QUIDDITY ENGINEERING, LLC CONCERNING THESE CONSULTING SERVICES.

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Item 2 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 McCrea moved to approve item 1 on the Consent Agenda. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

E. RECESS THE SPECIAL SESSION

Mayor Warren recessed the Special Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney at 7:34 p.m.

F. EXECUTIVE SESSION

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

G. ADJOURN EXECUTIVE SESSION & RECONVENE THE SPECIAL SESSION

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

H. ADJOURN

There being no further business on the agenda the meeting was adjourned at 8:09 p.m.

Lorri Coody, City Secretary

