

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON FEBRUARY 12, 2024, 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 Bless
Council Member, Drew Wasson	City Secretary, Lorri Coody
Council Member, Sheri Sheppard	City Attorney, Bridgette Begle
Council Member, Michelle Mitcham	
Council Member, James Singleton	
Council Member, Jennifer McCrea	

City Attorney, Justin Pruitt was not present at this meeting.

Staff in attendance: Robert Basford, Assistant City Manager; Isabel Kato, Finance Director; Danny Keele, Chief of Police; Mark Bitz, Fire Chief; Abram Syphrett, Director of Innovation and Miesha Johnson, Economic Development Manager.

B. INVOCATION, PLEDGE OF ALLEGIANCE

Prayer and Pledge by: Jordan Ward, Staff Pastor, Hope Church

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.

Jim Fields, 16412 Saint Helier, Jersey Village, Texas (713) 206-1184 – Mr. Fields spoke to City Council about moving Item F3 on consent to the Regular Agenda. He also voiced his concern about how the meetings concerning the development on the south side of US HWY 290 are held in Executive Session. He then read some emails that were sent to Council Member Wasson and Mayor Warren about vehicles that are not in compliance with Code Enforcement. He stated that these vehicles are in plain view, and it is not his job to give the address to the City. He does not trust City Government and he is afraid that if he reports it, his neighbors will find out. He wants City Council to ride through the City and locate these abandoned vehicles.

Mayor Warren addressed Mr. Fields' concerns. He stated that Code Enforcement is taken very seriously by the City and that Mr. Fields should report addresses where these issues were seen. Council Member Wasson also addressed Mr. Fields' concerns, agreeing with the Mayor that Mr. Fields should report the location of these issues to the City.

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Nathan Kelley, 14115 Carolcrest Circle, Houston, Texas (281) 782-7278 – Mr. Kelley spoke to Item G3, the Castlebridge Senior Project. He gave information about the project and the process they are going through to get this project moving forward. He gave information about Blazer Buildings, which is a general construction company that focuses on multifamily housing. They have 25 properties, 10 of which are senior housing projects. He went on to explain the application for the Federal Housing Tax Credit for which they have applied. He is asking for the Council’s support for this project. The support only permits the application to move forward. Additionally, he pointed out that he realizes there are other requirements that they will need to address such as an application for a Specific Use Permit with the Planning and Zoning Commission.

Matt Fuqua, 4001 W. Sam Houston Parkway N, Houston, Texas 77043 (281) 850-4502 – Mr. Fuqua spoke City Council about the Castlebridge Seniors Project. It will be 130 Units (a mix of one and two bedrooms) and two stories. He gave a summary of the information that was included in the meeting packet. He gave information about the amenities that the project will include. He also gave information about the size of their other projects, to include information about call volumes to EMS and Police.

James MacDonald, 16306 Acapulco, Jersey Village, Texas (832) 253-6167 – Mr. MacDonald spoke to City Council about the cub scouts. He recognized the City of Jersey Village as business of the year. He thanked the Council for their support of the scouts.

Dennis Petersen, 16522 Cornwall Street, Jersey Village, Texas (713) 412-6886 – Mr. Petersen spoke to City Council about Item G1. He gave information about his review of this item. He was concerned about the number of meters compared to the number of connections outlined in the agenda item request form. He also spoke about the capping of rates and wondered why this was being considered. He went on to state that whatever the action taken by City Council, the City will need to cover the expenses of the system regardless of where the money comes from. He gave City Council an alternative, stating that the recent water rate study assumptions raised the need for capital. Accordingly, he feels that City Council should revisit the water rate study in order to determine if the assumptions met expectations.

Council Member Singleton addressed some of the concerns.

Kimberly Henao – Ms. Henao gave her 29th installment concerning the history of Jersey Village from 1998.

E. CITY MANAGER’S REPORT

City Manager Bless gave his monthly report as follows:

1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – December 2023, General Fund Budget Projections as of January 2023, and Utility Fund Budget Projections – January 2023.
2. Fire Departmental Report and Communication Division’s Monthly Report

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3. Police Department Monthly Activity 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
8. 2023 Racial Profiling 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. Item 3 was pulled from the Consent Agenda for further discussion. Accordingly, Item 3 contains discussion information as well as Council's vote, if applicable. The vote for Items 1, 2, 4, 5 and 6 are found at the end of the Consent Agenda.

1. **Consider approval of the Minutes for the Regular Session Meeting held on January 22, 2024, and the Minutes for the Special Session Meeting held on January 18, 2024.**
2. **Consider Resolution No. 2024-10, authorizing applications for the Texas General Land Office Resilient Communities Program for a Comprehensive Plan Grant.**

BACKGROUND INFORMATION:

The Texas General Land Office (GLO) has a Resilient Communities Program that is funded by the Community Development Block Grant Mitigation (CDBG-MIT) Funds that the federal government has made available. One program activity that is eligible for is the creation of a Comprehensive Plan.

Comprehensive Plans take the community goals and aspirations and formalize them into actionable policies that determine what can be built within a certain jurisdiction and where. Comprehensive plans themselves serve as guiding documents that provide the framework by which regulatory structures are created. Currently the City has the 2020 Comprehensive Plan and by ordinance we are required to update that plan every 5 years.

Some requirements of the grant are as follows:

1. Must be forward-looking, and be integrated with the Hazard Mitigation Plan, if one exists
2. Must identify local hazard risks and explain how it mitigates against those risks
3. Must include:

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- a. Population Study
 - b. Housing Study
 - c. Land Use Study/Plan
 - d. Zoning Ordinance
 - e. Infrastructure Study / Capital Improvement Plan
4. Adoption of approved Comprehensive Plan and Zoning Ordinance must be complete within 24 months of contract execution. NOTE: if this requirement is not satisfied, all funds will be recaptured.

As we move ahead with the 2025 Comprehensive Plan it is the staff recommendation that we use an outside consultant to help facilitate the process, including the public meetings that would be required by the grant. The grant requires at least 3 rounds of public meetings.

As noted above the grant funds would need to be spent within 24 months of the grant approval and contract execution. Staff feels the whole Comprehensive Plan process should take no more than 9 months. We also do not expect a final award for several months from now. The current timeline of events would be to seek residents for the Comprehensive Plan Committee over the summer of 2024 and hold the first meeting in September. That should put us on track for a finished product by June of 2025.

The total grant amount requested would be \$157,500. This would be \$150,000 for the consultant to assist with the comprehensive plan and \$7,500 for the Grant Administration. Of the total cost the city cost share would be 25%, or \$39,375.

City staff will still be very involved with this project, and we should be able to utilize the cost of staff to cover some of our portion of the grant costs.

RESOLUTION NO. 2024-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING APPLICATIONS FOR THE TEXAS GENERAL LAND OFFICE RESILIENT COMMUNITIES PROGRAM FOR A COMPREHENSIVE PLAN GRANT.

3. **Receive, and discuss if necessary, a progress report from the Owners of the property located at 15830 NW FWY, Jersey Village, Texas concerning the progress on the performance of the work required under Ordinance 2024-01, which found the structures on the Property to be substandard and a public nuisance; ordered SPEEDY STOP FOOD STORES, LTD or the true owners of the property to abate the substandard and dangerous structures on the Property; authorizing the City to demolish the structure on the property if owner fails to abate the substandard and dangerous structure on the property; authorizing the City to assess a lien against the property for the costs of the demolition; and making other findings and provisions related thereto.**

BACKGROUND INFORMATION: On January 22, 2024, the City Council conducted a public hearing pursuant to Section 34-253 of the Code, so that the owner or the owner's representatives for the property located at 15830 NW FWY, Jersey Village, Texas may

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appear and show cause 1) why such buildings or structures should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the buildings or structures.

After that hearing, City Council passed ordinance 2024-01, finding the structure at 15830 NW FWY, Jersey Village, Texas 77040, (legally described as TRS 16B &18D Fairview Gardens Annex Section 3, HCAD 064-248-000-0039), the “property”, to be substandard and a public nuisance; ordering Speedy Stop Food Stores, LTD or the true owners of the property to abate the substandard and dangerous structure on the property; authorizing the City to demolish the structure on the property if owner fails to abate the substandard and dangerous structure on the property; authorizing the City to assess a lien against the property for the costs of the demolition; and making other findings and provisions related thereto.

In its basic form, the Ordinance provided that the owner of the property shall within 10 days of the date of Ordinance 2024-01 fence the property, within 30 days of the date of Ordinance 2024-01 secure the building and demolish the interior, and within 45 days of the date of Ordinance 2024-01 submit a request for permits. The Ordinance also required the owner of the property to file a progress report with the City Secretary no later than February 6, 2024, so that the report could be included on the February 12, 2024 City Council agenda as a consent item. Additionally, City Council is expecting that the Owner will appear before the City Council on March 18, 2024, to review the owner’s second status report with said report being filed with the City Secretary no later than March 8, 2024.

This item is to receive the February 6, 2024, report from the owner, and discuss, if necessary, any needed actions.

Council engaged in discussion. It was felt that the owners of the property have complied thus far with the parameters of the Ordinance. The owners are working with an architect to begin repairs. The report was received. It was the consensus of Council that the owner is on track with the requirements of the Ordinance.

- 4. Consider Resolution No. 2024-11, finding that the Statement of Intent of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy to change rates filing within the City should be denied; finding that the City’s reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel.**

BACKGROUND INFORMATION:

On October 30, 2023, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (CenterPoint or Company) filed a Statement of Intent to Increase Rates application with Houston, Texas Coast, Beaumont/East Texas, and South Texas Divisions. In the filing, the Company asserted that it is entitled to a \$37.4 million increase or a 5.8% increase over current adjusted revenues, excluding gas costs.

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Earlier this year, Council agreed to suspend CenterPoint’s application for a rate increase for 90 days. The time has now come to take final action on the Company’s rate request. The deadline is March 3, 2024.

The purpose of the Resolution is to deny the rate application and consolidation proposed by CenterPoint. The Model Staff Report, included in the meeting packet, outlines the purpose of this Resolution in greater detail.

RESOLUTION NO. 2024-11

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS FINDING THAT THE STATEMENT OF INTENT OF CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TO CHANGE RATES FILING WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

5. **Consider Ordinance No. 2024-07, altering the prima facie speed limits established for vehicles under the provisions of §545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate limits of the City of Jersey Village as set out in this ordinance; and providing a penalty of a fine not to exceed \$200 for the violation of this ordinance.**

BACKGROUND INFORMATION:

The Texas Department of Public Safety has conducted an engineering and traffic investigation in accordance with the Texas Transportation Code Section 545.356. The study found that the prima facie speed limit along FM 529, from west city limit of the City of Jersey Village to the intersection of the east frontage road of US 290, a distance of approximately 0.100 mile, the speed limit shall be 40 MPH. The current speed limit in this area is 45 MPH. A map indicating the affected area is included with this item.

Staff, having received this correspondence from the State, has reviewed same and has found that the speed should be adjusted as recommended by the State.

This item is to confirm that the City concurs with the speed zone recommendation found by the Texas Department of Transportation Engineering and Traffic Investigation and that the speed zone along FM 529, from west city limit of the City of Jersey Village to the intersection of the east frontage road of US 290, a distance of approximately 0.100 mile, should be set at 40 MPH.

ORDINANCE NO. 2024-07

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AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF §545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF JERSEY VILLAGE AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200 FOR THE VIOLATION OF THIS ORDINANCE.

6. Consider Resolution No. 2024-12, authorizing the application for US Economic Development Administration Planning Program Grant.

BACKGROUND INFORMATION:

This item is seeking approval to apply for a grant from the United States Economic Development Administration (EDA) to fund the creation of an Economic Development Master Plan. This initiative aligns with the goals set forth in the City's 2020 Comprehensive Plan and offers a strategic approach to bolster economic growth, resilience, and prosperity within the city. The Economic Development Master Plan aims to complement the Comprehensive Master Plan by introducing targeted strategies for economic development, job creation, and enhanced community infrastructure.

There are several positive reasons to create an Economic Development Master Plan.

The proposed Economic Development Master Plan directly supports the objectives outlined in the 2020 Comprehensive Plan, ensuring a cohesive strategy for citywide development and prosperity. Doing this plan at the same time as the Comprehensive Plan would allow for the goals and strategies of both to complement each other.

Developing the Economic Development Master Plan concurrently with the City Comprehensive Master Plan presents an opportunity for cost savings. Shared resources and planning efforts will lead to economies of scale, minimizing the financial impact on the city.

The proposal includes the innovative use of Community Development Block Grant Funds, which was discussed under a different item on this agenda, as matching funds for the EDA grant. This strategy maximizes available resources, potentially allowing the city to undertake both planning efforts with minimal or no additional expenditure. As we are estimating the total cost for both plans to be \$250,000, we will be requesting \$125,000 in grant funding from the EDA.

The EDA offers support through its Planning and Local Technical Assistance programs to help eligible entities, like our city, in crafting economic development plans and studies. These programs are designed to build capacity, guide economic prosperity and resiliency, and support the creation and retention of quality jobs. By applying for this grant, the city stands to benefit from EDA's expertise and financial support, facilitating the development of a robust economic development strategy.

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The EDA supports the development of Comprehensive Economic Development Strategies, which are critical for articulating and prioritizing regional economic goals. The proposed master plan would serve as a key component in defining our city's economic development trajectory, enabling access to additional EDA funding and resources in the future.

All of these things align well with our current comprehensive plan and the long-term vision of the city. This plan will help to guide our economic development plans into the future.

RESOLUTION NO. 2024-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING APPLICATIONS FOR THE US ECONOMIC DEVELOPMENT ADMINISTRATION PLANNING PROGRAM GRANT.

Item 3 was removed from the consent agenda. The discussion and vote for the removed items 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, 2, 4, 5 and 6 on the Consent Agenda. Council McCrea Member seconded the motion. The vote follows:

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

Nays: None

The motion carried.

G. REGULAR AGENDA

- 1. Consider Ordinance No. 2024-08, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 70, Utilities, Section 77 to provide for amendments to Water and Wastewater Rate Schedules; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

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

Last month the City Council discussed the desire to have a cap on the wastewater rates. The ordinance presented here tonight would cap those rates. The Council needs to decide what level they want to cap the rates at and adjust the proposed ordinance accordingly.

If the Council wanted to do a maximum usage of 12,000 gallons for sewer rates that would be approximately a \$600,000 impact to the utility fund. If it was a 10,000-gallon maximum that would be approximately a \$730,000 impact to the utility fund.

Any cap of the wastewater rates means a corresponding increase in water rates will be likely. At this point there is no change being presented. We have come under budget for

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our lift station project bids. We also will not be issuing all of the debt service this year that was anticipated for the utility fund. These two items will help us make up for that revenue shortfall in the near term. Once we have 6 months of data on the new rates, which will be in March 2024, staff will look at the rates again and project out for the next 5 years as we did with the current rate study. That information will be ready for Council as we move into the budget meetings for the next fiscal year.

The breakdown of how many people with only one water meter have water bills lower than 10,000 gallons and 12,000 gallons is as follows:

	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Percent under 10,000	93%	93%	90%	91%	96%	83%	77%	66%
Percent under 12,000	95%	96%	94%	95%	98%	88%	84%	74%

	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23
Percent under 10,000	55%	69%	86%	68%	91%	94%	91%	93%
Percent under 12,000	62%	76%	90%	75%	94%	97%	95%	96%

	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
Percent under 10,000	93%	88%	88%	76%	69%	53%	59%	83%	87%	95%
Percent under 12,000	96%	92%	92%	82%	76%	61%	66%	88%	92%	97%

The following tables show how many customers with only 1 meter fell into each 1,000 gallon of usage category in the given month.

Use in thousands	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22
1	184	165	120	130	227	115	118	104	65
2	352	298	211	252	411	213	172	158	120
3	388	389	308	319	437	263	241	216	178
4	337	351	286	350	347	287	246	208	171
5	251	262	276	274	233	232	233	162	146
6	175	203	255	222	141	206	184	138	117
7	112	123	186	176	107	158	151	128	115
8	74	95	138	116	66	141	126	122	90
9	68	75	88	79	48	98	111	100	96
10	52	40	79	54	27	66	76	104	91
11	37	42	38	54	27	71	85	79	90
12	23	25	37	39	17	48	64	83	79
13	19	16	28	24	9	38	61	71	82
14	14	6	18	14	10	38	37	60	81

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15	4	9	16	15	7	33	28	53	58
16	14	5	12	2	4	31	39	44	65
17	8	9	11	7	2	16	34	38	44
18	9	5	11	7	4	19	24	35	41
19	3	7	9	4	3	9	23	28	36
20	5	7	8	4	1	5	14	33	30
21	3	5	5	6	2	14	12	27	37
22	5	1	1	2	2	7	11	22	24
23	0	4	4	3	2	4	8	19	38
24	2	1	1	1	0	8	7	14	18
25	3	0	3	4	0	8	7	17	35
26	2	3	1	2	0	1	7	12	13
27	0	2	0	1	0	4	6	10	14
28	3	0	2	2	1	5	7	12	20
29	0	1	2	0	1	4	7	13	13
30	1	0	1	0	1	2	4	8	23
31	0	1	0	2	0	4	2	7	16
32	0	1	1	1	0	1	0	2	10
33	0	0	1	0	0	1	4	8	16
34	0	0	0	1	0	1	2	5	11
35	2	0	1	0	0	0	0	6	13
36	0	0	1	1	0	1	4	3	10
37	0	0	1	1	0	0	1	2	7
38	0	0	0	0	0	0	0	0	2
39	0	0	0	0	0	1	2	3	3
40	0	0	0	0	0	0	0	1	6
>40	0	0	1	3	0	3	4	17	49
Use in thousands	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23
1	84	148	77	190	201	108	153	227	131
2	161	269	152	335	332	246	300	313	266
3	207	309	239	403	474	305	361	394	290
4	210	308	202	321	300	326	339	294	295
5	193	241	173	232	248	309	265	229	268
6	170	184	167	162	180	231	193	165	215
7	137	138	148	100	111	160	165	123	151
8	123	108	116	98	69	120	85	91	107
9	114	79	115	43	58	87	67	67	90
10	95	59	72	49	32	55	54	49	58
11	93	55	85	37	30	50	31	41	46
12	62	40	75	33	24	26	24	20	41
13	55	26	52	26	18	24	20	13	25

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14	49	33	52	12	8	18	12	17	28
15	53	18	44	13	3	19	10	8	27
16	51	32	40	7	11	7	8	6	16
17	32	15	38	4	6	7	3	11	14
18	37	13	36	10	4	7	4	6	6
19	32	16	36	7	8	3	4	4	10
20	27	8	30	8	0	2	4	4	11
21	19	2	22	5	1	4	0	4	6
22	24	6	23	4	1	4	0	2	2
23	28	10	17	6	1	1	1	2	4
24	14	1	21	2	1	0	2	3	3
25	17	0	12	3	1	1	3	0	1
26	8	0	12	1	1	2	1	1	3
27	5	3	11	1	0	0	0	0	1
28	12	2	13	0	2	1	1	2	1
29	5	2	13	3	1	2	1	2	0
30	8	4	4	3	0	0	1	0	1
31	5	4	7	1	1	0	1	2	1
32	4	1	4	0	0	1	0	2	2
33	7	2	3	1	0	0	0	0	1
34	1	3	6	1	0	0	0	0	0
35	6	1	8	0	0	2	1	0	3
36	2	1	0	1	1	0	0	1	0
37	2	1	4	1	1	1	0	0	1
38	0	0	2	1	0	0	1	0	1
39	5	0	3	0	1	1	0	1	0
40	0	1	1	1	0	0	1	0	1
>40	13	2	20	1	3	4	4	1	4
Use in thousands	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	
1	155	107	101	62	73	135	114	197	
2	255	217	160	117	109	250	229	381	
3	309	240	217	167	181	304	263	409	
4	310	241	214	151	167	275	323	333	
5	267	203	208	137	168	251	234	242	
6	188	159	153	129	124	170	226	164	
7	140	143	136	123	130	132	154	102	
8	107	126	107	88	113	96	138	77	
9	90	106	114	81	93	81	84	55	
10	59	91	86	98	94	71	69	46	
11	50	80	79	83	86	56	52	21	
12	47	61	69	72	82	46	48	21	

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13	32	55	49	66	67	43	34	10
14	30	33	45	72	64	30	26	5
15	18	39	39	54	48	29	18	9
16	15	42	34	41	48	25	17	6
17	11	29	41	56	44	20	11	3
18	8	23	35	50	37	11	10	3
19	8	18	32	42	42	15	10	3
20	9	21	22	30	24	11	5	3
21	8	16	25	42	31	10	8	6
22	3	18	19	31	25	6	8	2
23	2	8	20	28	27	5	6	2
24	4	12	15	30	28	4	6	1
25	4	8	15	27	15	9	4	2
26	1	8	14	21	16	6	1	2
27	0	4	14	28	27	4	2	1
28	1	7	10	21	14	3	4	0
29	5	5	14	22	11	2	1	1
30	2	5	10	17	19	1	3	0
31	1	6	5	9	5	2	4	0
32	2	3	8	17	8	3	1	0
33	0	4	5	12	13	0	2	1
34	1	3	4	14	11	2	0	1
35	0	2	6	9	13	1	1	0
36	0	0	7	7	9	1	2	0
37	0	2	1	7	6	3	0	0
38	0	1	0	12	6	1	0	0
39	0	1	4	7	4	2	0	0
40	0	2	4	11	4	2	0	0
>40	2	12	20	70	51	11	0	0

Council engaged in discussion about the proposal to amend this section of the City Code. There were questions about the upcoming study to be performed in March of 2024. City Manager Bless explained what that study would entail looking at six (6) months of data gathered at the new rates and how these new rates are affecting all aspects of the City system.

Past studies were discussed and how closely these studies predicted costs. City Manager Bless stated that even using the best information, sometimes the expenses are quite a bit more than projected. He went into detail explaining how costs have increased over the past several years and how these rates, while they have flattened out, have not decreased to what they were in prior years.

City Manager Bless explained what the action tonight will accomplish.

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During City Comments concern was stated that the study grossly over estimated costs. It was pointed out that if too much money is collected such fact would be compensated during the next study. Council felt it would be better to have too much revenue as opposed to too little revenue. Therefore, budgeting to create a cushion is a better policy.

It was brought up that delaying important decisions in the past resulted in pushing out capital projects and the City is now having to pay for those decisions. In moving forward tonight, some wondered what “treating all fairly” means in connection with this issue. Based upon prior Council discussions, it is felt that approving a cap is fair to all. This action tonight is only a “stop gap” and not necessarily a long-term solution.

There was discussion about a 10,000-gallon cap vs. a 12,000-gallon cap. Most felt that 12,000 gallons is reasonable.

Mayor Warren gave background information about why the Council is considering this action now as opposed to later. The plan is to eventually look at revisiting our rates. This action is to provide relief until the March 2024 Study can be performed.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance No. 2024-08, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 70, Utilities, Section 77 to provide for amendments to Water and Wastewater Rate Schedules; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date with set cap set at 12,000 gallons. 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. 2024-08

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS; AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 70, UTILITIES, SECTION 77 TO PROVIDE FOR AMENDMENTS TO WATER AND WASTEWATER RATE SCHEDULES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 2. Discuss and take appropriate action concerning annual sign permits and permit fees and Consider Ordinance No. 2024-09, amending the Jersey Village Code of Ordinances, Chapter 2, Article IV, Division 2, Section 2-142 to amend the Schedule of Fees related to Sign Permit Fees; and providing for repeal.**

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

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This issue is being brought up as at least one person has reached out to City Council members about the late fees that are charged for sign permits, and stating they never received the bill. The issue surrounds our annual operating permits for signs. These are permits that are required to be renewed every year by December 31.

If a permit is not renewed by December 31, it is subject to a late fee. Our current ordinance reads “Failure to renew a sign operating permit by the established deadline shall result in an additional fee equal to the fee for the annual operating permit or \$105.00, whichever is greater.”

The standard practice for the permitting department is to send the bills out in October of each year, as the permit needs to be renewed by December 31. That practice occurred again in 2023. Letters were sent out to all 151 people that have a sign permit in the spring and again in the summer of 2023 to inform them of the new process that was coming out for them to renew their permits online via our permitting portal. The bills were mailed out in October as has been the practice historically.

In investigating this issue, the Permit Clerk has informed me that this year there were 91 businesses that received a late notice for not paying their bill on time. She also stated that is about on par with previous years. Upon learning that, we are implementing a better process to encourage people to pay timely.

The ordinance drafted here tonight would change the late fee from the greater of the double fee or \$105 to the lesser of them. However, staff does have concern that if so many businesses do not timely pay the fee, a reduced late fee may further reduce the incentive to pay timely. Staff having to repeatedly reach out to late payers also takes extra time that would warrant a higher fee.

This year there have been 5 businesses that have said they did not get their bill in the mail. There have been news articles recently about slow mail delivery in the Houston area. However, there has been no indication that any of our mail has been impacted. But that is a theme we have heard this year.

If the Council would like to modify the annual operating permit late fees they can do so tonight.

Council engaged in discussion about the item. Some members were confused about the requested change. City Manager Bleess explained the change. It was explained that the resident that complained did not receive a bill which resulted in untimely payment and a late fee. Some members felt that given that the City does not send bills by certified mail, it becomes a “he said she said” in terms of the bill being sent and received. Some members felt that the City needs to send these notices via certified mail or provide a method for appeal. The process was explained.

The standard for setting fees was discussed. It was felt that the fee should accommodate staff time. Some wondered if \$15 for the permit covers staffing time. City Manager

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Bless stated that the fee is reasonable. However, adding onto the initial work would take more staff time to send additional notices. Sending bills via certified mail was discussed. Some felt that if we send the bill certified mail the permit fee could be raised to cover the cost of the postage. Other members did not agree with sending the notice via certified mail. Some members felt that the late fee should represent the work taken by Staff to address the non-payment of the permit fee.

There was discussion about setting the late fee as double the permit fee. Some felt that City Staff should re-visit the fee for these permits.

With no further discussion on the matter, Council Member Mitcham moved to approve Ordinance No. 2024-09, amending the Jersey Village Code of Ordinances, Chapter 2, Article IV, Division 2, Section 2-142 to amend the Schedule of Fees related to Sign Permit Fees; and providing for repeal. 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. 2024-09

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE JERSEY VILLAGE CODE OF ORDINANCES, CHAPTER 2, ARTICLE IV, DIVISION 2, SECTION 2-142 TO AMEND THE SCHEDULE OF FEES RELATED TO SIGN PERMIT FEES; AND PROVIDING FOR REPEAL.

3. Consider Resolution 2024-13, regarding applications for Texas Department of Housing and Community Affairs 2024 Competitive 9 Percent Housing Tax Credits.

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

The City has received notice from the Texas Department of Housing and Community Affairs that two entities have submitted Affordable Housing Applications for possible funding through the Competitive Housing Tax Credit Program to develop affordable multifamily rental housing in the City of Jersey Village. That full notice included in the meeting packet as Exhibit A.

One proposed development is the Residences at Jersey Village which is proposed to be located on the northeast corner of Saville Lane behind the Manor. The Owner information on this the same owner as The Manor. They are proposing 98 units, all of which would be low-income units with a target population of the elderly.

The council will recall that the owner submitted a Specific Use Permit application for a very similar project back in late 2021 and it came before the Council in February 2022. That project was not granted the Specific Use Permit. There were many concerns about

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the increased call volume this would place on our emergency services. The owner has not reached out to the city at all on this project, except for the required notifications to inform us of their application.

The other proposed development, Castlebridge Seniors, is on the east side of Saville Lane, at 12450 Castlebridge Drive. The owner of this project is Blazer Building. They are proposing 130 units, with 100 being low-income units and a target population of the elderly.

Nathan Kelly, of Blazer Building, has reached out to city staff to discuss their proposed project. They have similar facilities around the Houston area. Staff has reached out to the EMS Departments that serve those facilities and they have seen similar call numbers to the facilities there that we have experienced with our existing senior living facilities.

Blazer has submitted more information about their proposed project. That is included in this agenda item as Exhibit B. Nathan Kelly has stated he would be in attendance this evening to discuss this project with the City Council further, if they would like.

Exhibit C in the meeting packet is a guide from the Texas Department of Housing and Community Affairs on the low-income housing tax credits and how it works.

City staff has concerns with bringing an additional over 55 multifamily housing unit into the city and the added call volume that will create on our emergency services. Given the proposed location of these developments and the need for a specific use permit at these locations, giving a vote of support the project at this stage could be seen as providing support for the project as a whole, before it has gone through the proper permitting process.

At this point staff recommends not passing a resolution of support in favor of either project. But Council can choose to go on the record for or against the project by adopting the resolution that is included in the meeting packet. The resolution as drafted has the word support in there for each project. If the Council wishes to go on record in opposition or neutrality that word support should be changed before the resolution is adopted.

Council engaged in discussion about the project. Council Member McCrea stated that she was a former member of the Planning and Zoning Commission (P&Z) and feels that the P&Z should be able to do what they do in terms of a Specific Use Permit (SUP) rather than City Council making a decision. Some felt that acting on this item would be putting the “cart before the horse.” Other members felt that we should pass a Resolution in opposition to this request.

City Manager Bless stated that the Resolution is to give Council’s support of the project. However, City Manager Bless explained how, if approved, it could be misconstrued by P&Z should they be presented with a request of a SUP.

The EMS calls were discussed. Chief Bitz stated that last year the department made 129 calls to the Manor, a similar facility as is being presented tonight. It was pointed out that

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during the proceedings had back in 2022, Chief Bitz reached out to other communities, and they had similar calls to these type of facilities.

Some members stated that based upon prior discussions of Council, it was determined that there really isn't a need for this type of housing in Jersey Village.

There was discussion about the number of Police calls and EMS calls and how this affects city services.

Given it has previously been before the P&Z and it was recommended not to approve the request, some members felt that the Resolution should be to deny support of this request.

This Resolution would support a tax credit for this facility. Some felt that this would place a burden upon the residents of the City.

With no further discussion on the matter, Council Member Singleton moved to approve Resolution 2024-13, by striking the word "support" and adding the word "opposes," regarding applications for Texas Department of Housing and Community Affairs 2024 Competitive 9 Percent Housing Tax Credits. 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. 2024-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, REGARDING APPLICATIONS FOR TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS 2024 COMPETITIVE 9 PERCENT HOUSING TAX CREDITS.

H. 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 congratulated Chief Keele on his first meeting.

Council Member Sheppard: Council Member Sheppard invited all to participate in the naming rights at the golf course.

Council Member Wasson: Council Member Wasson welcomed Chief Keele and thanked all for their comments.

Council Member Singleton: Council Member Singleton congratulated Chief Keele.

Council Member McCrea: Council Member McCrea congratulated Chief Keele

Mayor Warren: Mayor Warren thanked former Chief Riggs for his service to the City. The culture of the Department has flourished under his command. He is confident in the capabilities of Chief Keele. He congratulated Chief Keele on his promotion.

I. RECESS THE REGULAR SESSION

Mayor Warren recessed the Regular Session at 8:19 p.m. 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.

J. 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.**
- 2. Pursuant to the Texas Open Meeting Act Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, a closed meeting to deliberate the potential and possible purchase, exchange, sale, or value of real property, located within TIRZ 3.**

K. ADJOURN EXECUTIVE SESSION AND RECONVENE REGULAR SESSION

Mayor Warren adjourned the Executive Session at 8:30 p.m., and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

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L. RECONVENE 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.**

No action was taken on this item. No discussion was had.

M. ADJOURN

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



Lorri Coody, TRMC, City Secretary