

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 16, 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 7:02 p.m. with the following present:

Mayor, Bobby Warren	City Manager, Austin Bless
Council Member, Drew Wasson	City Secretary, Lorri Coody
Council Member, Sheri Sheppard	City Attorney, Justin Pruitt
Council Member, Michelle Mitcham	
Council Member, Connie Rossi	

Staff in attendance: Robert Basford, Assistant City Manager; Mark Bitz, Fire Chief; Danny Keele, Chief of Police; Isabel Kato, Finance Director; Abram Syphrett, Director of Innovation and Technology; Miesha Johnson, Community Development Manager, and Scott Williams, BBG Consultant and Building Official Representative.

**B. INVOCATION, PLEDGE OF ALLEGIANCE**

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

**C. PRESENTATIONS**

1. **Presentation of Employee of the Month Award for September 2024 to Amy Torres.**

Austin Bless, City Manager, presented the Employee of the Month Award for September 2024 to Amy Torres.

**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.

**Rick Faircloth, 16010 Lakeview Drive, Jersey Village, Texas (713) 466-8065** – Mr. Faircloth spoke to City Council about the Equador Bridge Project. He reminded City Council that they made it clear that this is a pedestrian bridge and that there would be no vehicles. However, in a JV Project Update, it states that the new bridge will accommodate golf carts. He stated that he does not believe that this was the intent of City Council. He does not support having vehicles on the bridge. He feels it should just be for pedestrians. He also spoke to the Pool Bond. In the same Update, it says that a new pool design was approved by the Bond Committee and the Parks and Recreation Advisory Committee. He stated that he attended the Bond Committee meetings and does not believe that the Committee approved a design.

**Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 689-9878** Ms. Henao gave her 36<sup>th</sup> installment concerning the History of the City of Jersey Village.

**E. CITY MANAGER'S REPORT**

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City Manager Bless gave the following Monthly Report. There were a few questions about the date of the October Meeting. City Manager Bless explained that this date was chosen as it relates to the upcoming election and the use of the facilities as a polling location.

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, General Fund Budget Projections, and Utility Fund Budget Projections**
- 2. Fire Departmental Report and Communication Division’s Monthly Report**
- 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**

**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.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on August 19, 2024.**
- 2. Consider Resolution 2024-70, reviewing and approving the investment policy and investment strategies used for city funds in compliance with the Texas Government Code.**

**BACKGROUND INFORMATION:**

The Texas State Legislature passed the Public Funds Investment Act in 1994 in response to financial crises in California caused when a public agency invested heavily in risky funds. To ensure public funds in Texas would not be placed in a similar situation, the act was drafted, defining the means and limitations public agencies must comply with before investing the funds. All local and state governments are bound by provisions dictated by the Public Fund Investment Act. All agencies covered by the Public Funds Investment Act must write an investment plan. This plan must address the safety of the investment and also list the types of funds into which the agency is entitled to invest. The Public Funds Investment Act places several requirements on investments made by public agencies. One of the allowable investment tools are the investment pools. All investment pools must be continuously rated at AAA or AAA-m by nationally recognized ratings agency. In the case of the City of Jersey Village, we invest in TexPool and in the City’s depository bank Wells Fargo. Tex Pool currently provides investment services to over

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2,000 communities throughout the State of Texas and it is also rated AAA-m by Standard & Poor's. This rating is the highest rating a local government investment pool can achieve.

Furthermore, The Texas Government Code, Public Funds Investment Act Section 2256.005(e) requires that Council review the City's investment policy and investment strategies not less than annually, and that Council adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

The investment policy submitted for Council Review with this item contains no changes from the policy last reviewed and approved by Council on September 18, 2023.

Staff recommends that the investment policy and investment strategies be reviewed and approved in accordance with the Public Funds Investment Act.

RESOLUTION NO. 2024-70

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, REVIEWING AND APPROVING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES USED FOR CITY FUNDS IN COMPLIANCE WITH THE TEXAS GOVERNMENT CODE.

- 3. Consider Resolution No. 2024-71, extending the agreement with the audit firm of Crowe, LLP formerly known as Belt Harris Pechacek, LLLP and authorizing the City Manager to execute the extension agreement with Crowe LLP for the audit of fiscal year 2023-2024.**

**BACKGROUND INFORMATION:**

The agreement between the City of Jersey Village and the audit firm of Belt Harris Pechacek, LLLP for audit services has expired. As of May 1, 2024, Belt Harris Pechacek has merged with Crowe LLP, a nationally recognized audit and advisory firm.

Crowe LLP has expressed their interest in extending their relationship with the City of Jersey Village and has issued an engagement letter that would cover audit services for the fiscal year 2023-2024.

Staff respectfully recommends that City Council approve this Resolution approving the agreement with Crowe LLP for the audit of fiscal year 2023-2024.

RESOLUTION NO. 2024-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, EXTENDING THE AGREEMENT WITH THE AUDIT FIRM OF CROWE, LLP FORMERLY KNOWN AS BELT HARRIS PECHACEK, LLLP AND AUTHORIZING

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THE CITY MANAGER TO EXECUTE THE EXTENSION AGREEMENT WITH CROWE LLP FOR THE AUDIT OF FISCAL YEAR 2023-2024.

- 4. Consider Resolution No. 2024-72, designating officials to sign documents related to the Texas General Land Office Resilient Communities Program for a Comprehensive Plan Grant.**

**BACKGROUND INFORMATION:**

Earlier this year the City Council authorized a grant application to the Texas General Land Office (GLO) for the Resilient Communities Program (RCP) for a grant to help us create a Comprehensive Plan. That grant, in the amount of \$157,500 was recently awarded by the GLO to the City.

As part of the grant the GLO requires the City to designate, by Resolution, authorized signers for contractual and financial documents. They require at least two people be designated for each item.

The Resolution has Austin Bless, City Manager, and Robert Basford, as signers for contractual documents. It also has Austin Bless, Isabel Kato, Finance Director, and Jordan Kettler, Accounting Manager, as designated signers for financial documents.

**RESOLUTION NO. 2024-72**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING OFFICIALS TO SIGN DOCUMENTS RELATED TO THE TEXAS GENERAL LAND OFFICE RESILIENT COMMUNITIES PROGRAM FOR A COMPREHENSIVE PLAN GRANT.

- 5. Consider Ordinance No. 2024-28, receiving the Planning and Zoning Commission’s Preliminary Report and calling a Joint Public Hearing of the City Council and the Planning and Zoning Commission concerning the request to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(g) by adding a new subsection (6) to address elevated garages; and by prescribing the notice requirements for a public hearing.**

**BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on September 11, 2024, to discuss a request to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(g) by adding a new subsection (6) to address elevated garages.

After review and discussion, the Commissioners preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, be amended at Chapter 14, Article IV, Division 2, Section 14-101(g) by adding a new subsection (6) to address elevated garages.

This item is to receive the Planning and Zoning Commission’s preliminary report, call a joint public hearing for October 14, 2024, and prescribe the type of notice to be given, and

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the time and place of the public hearing required as authorized by Chapter 211.006(c) of the Texas Local Government Code. **It must be passed by a two-thirds vote.**

ORDINANCE NO. 2024-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE REQUEST TO AMEND THE JERSEY VILLAGE CODE OF ORDINANCES AT CHAPTER 14, ARTICLE IV, DIVISION 2, SECTION 14-101(G) BY ADDING A NEW SUBSECTION (6) TO ADDRESS ELEVATED GARAGES; AND BY PRESCRIBING THE NOTICE REQUIREMENTS FOR A PUBLIC HEARING.

6. **Consider Ordinance No. 2024-29, receiving the Planning and Zoning Commission's Preliminary Report and calling a Joint Public Hearing of the City Council and the Planning and Zoning Commission concerning the request of Adel Khechana, filed on behalf of CASBA LLC, owner, to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-105(a) table 14-105 (A) at Car Wash by adding SUP to District K; and by prescribing the notice requirements for a public hearing.**

**BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on September 11, 2024, to discuss a request by Adel Khechana, filed on behalf of CASBA LLC, owner, to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-105(a) table 14-105 (A) at Car Wash by adding SUP to District K.

After review and discussion, the Commissioners preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, be amended at Chapter 14, Article IV, Section 14-105(a) table 14-105 (A) at Car Wash by adding SUP to District K.

This item is to receive the Planning and Zoning Commission's preliminary report, call a joint public hearing for October 14, 2024, and prescribe the type of notice to be given, and the time and place of the public hearing required as authorized by Chapter 211.006(c) of the Texas Local Government Code. **It must be passed by a two-thirds vote.**

ORDINANCE NO. 2024-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE REQUEST OF ADEL KHECHANA, FILED ON BEHALF OF CASBA LLC, OWNER, TO AMEND THE JERSEY VILLAGE CODE OF

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ORDINANCES AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A) TABLE 14-105 (A) AT CAR WASH BY ADDING SUP TO DISTRICT K; AND BY PRESCRIBING THE NOTICE REQUIREMENTS FOR A PUBLIC HEARING.

- 7. Consider Ordinance No. 2024-30, receiving the Planning and Zoning Commission’s Preliminary Report and calling a Joint Public Hearing of the City Council and the Planning and Zoning Commission concerning the request of Adel Khechana, filed on behalf of CASBA LLC, owner, for a specific use permit to allow the operation of a car wash located at 15824 NW FWY, Houston, Texas 77040 within the city limits in zoning District K; and by prescribing the notice requirements for a public hearing.**

**BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on September 11, 2024, to discuss a request by Adel Khechana, filed on behalf of CASBA LLC, owner, for a specific use permit to allow the operation of a car wash located at 15824 NW FWY, Houston, Texas 77040 within the city limits in zoning District K.

After review and discussion, the Commissioners preliminarily proposed that owner CASBA LLC be allowed to operate as a car wash located at 15824 NW FWY, Houston, Texas 77040 within the City of Jersey Village in zoning District K.

This item is to receive the Planning and Zoning Commission’s preliminary report, call a joint public hearing for October 14, 2024, and prescribe the type of notice to be given, and the time and place of the public hearing required as authorized by Chapter 211.006(c) of the Texas Local Government Code. **It must be passed by a two-thirds vote.**

**ORDINANCE NO. 2024-30**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE REQUEST OF ADEL KHECHANA, FILED ON BEHALF OF CASBA LLC, OWNER, FOR A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A CAR WASH LOCATED AT 15824 NW FWY, HOUSTON, TEXAS 77040 WITHIN THE CITY LIMITS IN ZONING DISTRICT K; AND BY PRESCRIBING THE NOTICE REQUIREMENTS FOR A PUBLIC HEARING.

Council Member Wasson moved to approve the Consent Agenda. Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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**G. REGULAR AGENDA**

**1. Consider Resolution No. 2024-73, selecting an individual to serve on the TML Health Benefits Pool Board of Trustees – Region 14.**

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

The Texas Municipal League Health Benefits Pool Board of Trustees Term of Office for Region 14 will expire. The term of office for this position is three years. A slate of interested candidates appears on the official ballot for election. Along with each name is a brief summary of qualifications for each candidate. The ballot must be received by the Board Secretary no later than October 3, 2024, and the official ballot must be properly signed, and all pages of the ballot must be submitted in accordance with the instructions in order for the City of Jersey Village’s vote to be counted.

The Pool offers various insurance and risk coverage including Workers’ Compensation, Liability Insurance, Property Insurance and Special Risk Coverage.

The incumbent is Joe Zimmerman, Mayor for the City of Sugar Land.

**The Candidates**

Frank W. Robinson, Councilmember, Shenandoah  
Joe Simmerman, Mayor, Sugar Land (Incumbent)

A brief summary of qualifications for each candidate is listed on the official ballot.

With limited discussion on the matter, Council Member Wasson moved to approve Resolution No. 2024-73, selecting Joe Simmerman to serve on the TML Health Benefits Pool Board of Trustees – Region 14. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**RESOLUTION NO. 2024-73**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SELECTING AN INDIVIDUAL TO SERVE ON THE TML HEALTH BENEFITS POOL BOARD OF TRUSTEES – REGION 14.

**2. Consider Resolution No. 2024-74, authorizing the City Manager to enter into an agreement with Merriman Holt Powell Architects for Conceptual Design Services for the property being purchased by the city at 16518 Jersey Drive.**

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

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City staff is proposing to move forward with the conceptual design process for the church property that we are acquiring. To ensure that the space meets the functional needs of both city staff and residents, we are recommending the selection of Merriman Holt Powell Architects (MHP) to assist us in envisioning the use of this property. MHP's expertise will guide us in making informed decisions that align with our city's goals and operational requirements. They are familiar with this site as they helped the church vision out the property for their needs several years ago. They also helped design some of the buildings on the site. They have worked with churches and local governments for many years.

MHP's scope of services includes a comprehensive approach to conceptual design, which will be executed in several steps. This will involve regular meetings with a designated city working committee, interviews with staff and stakeholders to understand space needs, and a thorough analysis of the existing site and buildings. MHP will develop floor plan options, generate 3D views of the selected design, and provide recommendations for utilities and stormwater management in collaboration with a civil engineer. Additionally, they will assist with selecting a qualified General Contractor and help develop a preliminary budget based on construction cost estimates.

The total cost for these services is \$22,000 plus additional expenses such as mileage and printing, which are expected to be incurred after October 1. Funding for this work is already allocated in the Capital Improvement Budget for the upcoming fiscal year. If the initial conceptual design phase is successful and meets the city's expectations, we may consider continuing with MHP for the construction design drawings, which would be based on a percentage of the construction costs. This would be brought before the City Council for approval at that time.

The proposal detailing MHP's scope of work is attached to the resolution for Council's review. Should the Council approve this proposal, city staff will schedule a kick-off meeting with MHP later this week to commence the conceptual design process. We believe that partnering with MHP will be instrumental in ensuring the new City Hall is functional, efficient, and reflective of our city's needs.

There was discussion about the plans to make sure the structure is sound. So, the question was to make sure this work would come after the assessment. City Manager Bleess explained the process. There was concern about spending these funds for this service before we find out about the assessment review. City Manager Bleess explained the timing and how the process would work. The Council discussed this process in detail. City Manager Bleess stated that we are working within our 60 days of due diligence. If the assessment should come back with problems and the purchase is not going to be made, then this would change the path forward. The kickoff meeting was discussed. This process would cost about \$200. After the kickoff meeting, discussions would be had concerning the needs of Staff. Approving this item now will help work within the 60-day due diligence time frame. Council wanted Staff to work as limited as possible until the assessment is complete given work is billed as it is completed. Terracon, the company



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that will do the assessment will happen quickly and the report will be given within 15 days from the start date.

With no further discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2024-74, authorizing the City Manager to enter into an agreement with Merriman Holt Powell Architects for Conceptual Design Services for the property being purchased by the city at 16518 Jersey Drive with the execution date of the agreement to take place after the date of completion mentioned in Resolution 2024-75. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MERRIMAN HOLT POWELL ARCHITECTS FOR CONCEPTUAL DESIGN SERVICES FOR THE PROPERTY BEING PURCHASED BY THE CITY AT 16518 JERSEY DRIVE.

**3. Consider Resolution No. 2024-75, authorizing the City Manager to enter into an Agreement with Terracon for Assessment Services for the property being purchased by the City at 16518 Jersey Drive.**

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

We have received a proposal from Terracon to conduct a Property Condition Assessment (PCA), asbestos inspection, and a mold inspection of the church property we are in the process of acquiring. This assessment is critical to understanding the current state of the property and will provide valuable insights as we move forward with conceptual design and planning.

**Scope of Services – Property Condition Assessment:**

The Property Condition Assessment will be conducted in general conformance with ASTM E 2018-15, the Standard Guide for Property Condition Assessments. The primary focus will be on identifying construction defects, components with reduced useful service life, poorly maintained areas, and building systems nearing the end of their estimated lifespan. The assessment will include:

1. **Visual Inspection:** The PCA will involve a visual inspection to provide a general opinion on the condition of the building and site improvements. The assessment will not include testing materials, operating equipment, or detailed code compliance evaluations. It is not designed to be a comprehensive inspection but aims to highlight significant maintenance issues and building conditions.

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2. **Immediate Repair Cost Estimate:** Terracon will develop a table of immediate repair costs, identifying any critical repairs needed to bring the property to a safe and habitable condition. This will cover items posing health, safety, or marketability concerns, significant deferred maintenance, and systems that have far exceeded their useful life. Repairs under \$500 may not be identified or will be noted as routine maintenance.
3. **Capital Reserve Cost Estimate:** The report will also include a Replacement Reserve analysis, identifying major component replacements anticipated over a 10-year period. The analysis considers the current state, historical performance, and service history of the property's components. Cost estimates are provided in present-day values, with considerations for inflation over the assessment period.
4. **Cost:** \$15,200

**Scope of Services – Asbestos Survey**

1. **Inspections:** Terracon will conduct a visual assessment of accessible areas of the interior of the buildings to identify homogeneous areas of suspect asbestos-containing materials (ACM) such as thermal system insulation, surfacing materials, and miscellaneous materials (e.g., floor tiles); building materials identified as glass, wood, masonry, metal, or rubber are not considered suspect ACM. Terracon will physically assess suspect ACM for friability and evidence of damage or degradation and collect bulk samples of suspect ACM for laboratory analysis.
2. **Samples:** Terracon will collect bulk samples of accessible suspect ACM in general accordance with the sampling protocols outlined in USEPA 40 CFR Part 763 Subpart E 763.86, the Asbestos Hazard Emergency Response Act (AHERA). Based on our current understanding of the scope of work and site conditions and experience with similar structures, we anticipate collection of up to 375 bulk samples.

The estimated number of samples takes into consideration current USEPA regulations requiring a minimum number of samples be obtained from each homogeneous area to characterize a material as non-ACM. The number of samples collected will depend on the number of homogeneous areas of suspect ACM identified.

3. **Limitations:** This inspection will be limited to readily observable and accessible materials, surfaces and equipment. Hidden or not readily accessible materials (e.g., piping in walls, hidden insulation treatments, hidden structural components, materials under carpet, etc.) may not be assessed in this inspection; Terracon will make reasonable effort to access suspect ACM within known areas of restricted access (e.g., crawlspaces) provided these areas are not determined to be permit-required confined spaces or to pose a health or safety risk to our personnel. Sampling will not include suspect ACM which cannot be safely reached with available ladders.

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4. **Report:** Terracon will prepare a final Interior Asbestos Inspection Report (Report) describing the sampling methodology and the results of the inspection, the location of each homogeneous area of suspect ACM sampled or assumed to contain asbestos, the number and location of building material samples collected, the analytical results, the estimated quantity and condition of materials identified or assumed to be ACM. Drawings depicting sample locations will be provided. Terracon will not provide drawings with the extent of ACM or estimates of ACM removal costs under the scope of this proposal.
5. **Cost:** The cost for this is \$14,150.

**Scope of Services – Mold Assessment**

Terracon proposes to conduct the following scope of services in general accordance with the fungal assessment and remediation regulations in the MARAR; American Industrial Hygiene Association (AIHA®) in Field Guide for the Determination of Biological Contaminants in Environmental Samples, 2nd Edition, 2005; Bioaerosols: Assessment and Control, American Conference of Governmental Industrial Hygienists (ACGIH®), 2001; and American Society for Testing and Materials (ASTM®, Standard Guide for Assessment of Fungal Growth in Buildings, Method D7338-14)

1. **Inspection:** Terracon will perform a visual assessment of accessible areas within the buildings. This includes documenting temperature, relative humidity and carbon dioxide (CO<sub>2</sub>) levels in the buildings and quantifying areas with SVG to determine if MARAR is applicable. In addition, Terracon will collect spore trap air samples in various locations to help determine if microbial growth may be a concern in certain areas. Terracon proposes to collect up to twenty-five (25) air samples, which will include at least two (2) outside air samples for comparison purposes. Samples will be submitted to a TDLRlicensed mold laboratory for analysis by light microscopy with a routine five-day turnaround time. Temperature, relative humidity and CO<sub>2</sub> will be measured at representative areas with a TSI VelociCalc, Model 9575X air quality monitor, or equivalent. Data will also be collected in the outdoor environment to provide comparison results. Sport trap air samples will be collected using Buck BioAire pumps and Allergenco sport trap cassettes.
2. **Limitations:** This microbial assessment will be limited to readily observable materials, surfaces and equipment in the buildings. Hidden or not readily accessible materials (e.g., piping in walls, hidden insulation treatments, hidden structural components, etc.) may not be assessed.
3. **Cost:** The cost of this is \$4,950.

The total cost for all three proposals is \$34,300.

**Timeline:**

The inspection will begin upon approval of the proposal, with Terracon expecting to deliver a draft report within 15 business days of the inspection start date and a final report

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five days later. We anticipate receiving the full report for all three things by October 18. This timeline aligns well with our conceptual design phase, allowing us to integrate the findings into our planning process.

These assessments will be instrumental in helping us better understand the existing condition of the church property and will guide us in making informed decisions about future use, design, and necessary improvements. The report will serve as an important tool in ensuring that the property meets the functional needs of our city staff and residents as we move forward with the project.

Council engaged in discussion about the scope of work. There was concern successful this process will be given that it will be superficial without the ability to tear down the walls and see what is there. Some wondered how we will be able to know the true condition of these buildings. City Manager Bless stated that once we purchase the property, we will get a better idea, but at this point to get a full visual inspection of everything maybe a problem. It was discussed that this in money well spent in order to make sure of the condition of the property. In laymen's terms this would be likened to a home inspection.

With no further discussion on the matter, Council Member McCrea moved to approve Resolution No. 2024-75, authorizing the City Manager to enter into an Agreement with Terracon for Assessment Services for the property being purchased by the City at 16518 Jersey Drive. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TERRACON FOR ASSESSMENT SERVICES FOR THE PROPERTY BEING PURCHASED BY THE CITY AT 16518 JERSEY DRIVE; AND ADDRESSING OTHER MATTERS RELATING TO THE SUBJECT.

- 4. Consider Resolution 2024-76, authorizing the City Manager to enter into an agreement with Renfrow + CO for the Equador Pedestrian Bridge structural design for the bridge foundations, concrete bridge deck, and bridge structure.**

Robert Basford, Assistant City Manager, introduced the item. Background information is as follows:

At the June 2024 Council Meeting, Council approved the City Manager to enter into an agreement with PEA Group for the pedestrian bridge conceptual design, construction documents, bidding and construction services. Our boundary and topographic survey

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have been complete as well as the conceptual planning for the bridge. Staff has worked with PEA to vet three bridge companies for structural span of this project. This item is to authorize the City Manager to enter into an agreement with Renfrow + CO for structural design for the foundations, concrete deck, and the bridge structure.

The Pedestrian bridge was an approved project in the 2023 Bond Election and this new design will revitalize a heavily traveled bridge by Jersey Village residents accessing parks and local schools. The total cost for this design proposal is expected to be \$19,628, which includes the final bridge concept, design for the foundations, concrete deck, and bridge span drawings to accompany the civil set of construction documents on the project.

The overall budget range for the bridge currently sits between \$500,000 and \$650,000 including the design proposals from PEA (50,000) and Renfrow + Co (\$19,628).

Council engaged in discussion about the use of the bridge. Some were concerned about the publication stating that golf carts would be permitted on the bridge. Some members do not want golf carts on the bridge and were not sure how this publication went out with this information. The use of the bridge was discussed. Some members did not believe that this is a problem, stating that parents use the golf carts to take their children to school. Since allowing golf carts in the City, there has been no issues of misuse. Others have stated that ATV's and motorcycles have been seen on the trails and there is concern that for allowing golf carts on the bridge, given that speed cannot be regulated. Some recommended that the bridge have bollards or some sort of blocking mechanism that could be removed should the police need access.

With no further discussion on the matter, Council Member Mitcham moved to approve Resolution 2024-76, authorizing the City Manager to enter into an agreement with Renfrow + CO for the Equador Pedestrian Bridge structural design for the bridge foundations, concrete bridge deck, and bridge structure. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RENFROW + CO FOR EQUADOR PEDESTRIAN BRIDGE STRUCTURAL DESIGN FOR THE BRIDGE FOUNDATIONS, CONCRETE DECK AND BRIDGE STRUCTURE.

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**5. Discuss and take appropriate action concerning the progress being made by the Owners of the property located at 15830 NW FWY, Jersey Village, Texas to correct the substandard structure at this location.**

Miesha Johnson, Community Development Manager, introduced the item. Background information is as follows:

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 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 to be substandard and a public nuisance.

Since the passage of the Ordinance, the Owner has submitted reports to City Council by way of updating the Council on the progress being made by the owner on the substandard structure. The owner will give an update on the progress of the project.

Tonight, the owner submits the 8th update report.

Todd Traugott appeared on behalf of the owner and gave a progress report on the project. The roof install is complete. New fascia boards are being replaced. There was a problem with the panels and they are looking at another solution. The water meter has been ordered from the City. Once it is available, a plumber will install it, and the building will be ready for paint. There was discussion about a tenant. Mr. Traugott stated that there is not one yet. Modification of the structure was discussed as opposed to a remodel.

With limited discussion on the item, no action was taken by the Council and Mayor Warren called the next item on the agenda as follows:

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

**Council Member Rossi:** Council Member Rossi attended the grand opening of the new day care. She congratulated Amy Torres on being the employee of the month. She encouraged residents to sign up for the weekly announcement ads from the City. She thanked the City Staff for their hard work.

**Council Member Wasson:** Council Member Wasson stated that there are always events in the City and encouraged residents to visit the City website. He encouraged all to come to the Police and Fire Department Open House on October 12. He also mentioned Election Day and that the Ballot will have the Bond Proposition on the Pool. There is an informative webpage concerning this project. He wished his wife a happy birthday.

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

**Council Member Mitcham:** Council Member Mitcham wished Jill a happy birthday. She recognized James Singleton attending the meeting. She stated that Restaurant week was great. She mentioned the car break ins and thanked the police for their help in apprehending the suspects.

**Bobby Warren:** Mayor Warren stated that October 1, 2024, is National Night Out. He encouraged all to participate. It is a good opportunity to meet your neighbors.

**I. RECESS THE REGULAR SESSION**

Mayor Warren recessed the Regular Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Sections 551.072 – Deliberations about Real Property, 551.071 – Consultations with Attorney, and Section 551.074 – Personnel Matters at 7:56 p.m.

**J. EXECUTIVE SESSION**

- 1. 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 possible purchase, exchange or value of real property, related thereto.**
- 2. Pursuant to the Texas Open Meetings Act Section 551.074 - Conduct an Executive Session in order to deliberate the appointment of public officers to the City's various boards, commissions, and committees.**

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3. Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.
4. Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

**K. ADJOURN EXECUTIVE SESSION**

Mayor Warren adjourned the Executive Session at 10:53 p.m., stating no official action or vote was conducted during the closed session. He then reconvened the Regular Session as follows.

**L. RECONVENE REGULAR SESSION**

1. Discuss and take appropriate action on items discussed in the Executive Session regarding the potential and possible purchase, exchange, sale, or value of real property, related thereto.

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

2. Consider Resolution No. 2024-77, appointing members to the Planning and Zoning Commission (P&Z) and the Capital Improvements Advisory Committee (CIAC), the Board of Adjustment (BOA), the Building Board of Adjustment and Appeals (BBOAA), the Parks and Recreation Advisory Committee (PRAC), and the Golf Course Advisory Committee (GCAC).

City Council has heretofore met in Executive Session to discuss the appointment of members to various boards and commissions in the City. This item is to approve the Resolution making these appointments.

With limited discussion on the matter, Council Member McCrea moved to approve Resolution No. 2024-77, appointing members to the Planning and Zoning Commission (P&Z) and the Capital Improvements Advisory Committee (CIAC), the Board of Adjustment (BOA), the Building Board of Adjustment and Appeals (BBOAA), the Parks and Recreation Advisory Committee (PRAC), and the Golf Course Advisory Committee (GCAC) as discussed in Executive Session and outlined below.

**The Planning and Zoning Commission and Capital Improvements Advisory Committee**

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
DEBRA MERGEL	5	10/01/24	09/30/26
DAVID L. LOCK	6	10/01/24	09/30/26
RICK FAIRCLOTH	7	10/01/24	09/30/26



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**The Board of Adjustment**

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
BILL SMOTHERS	4	10/01/24	09/30/26
M. REZA FEENEY	5	10/01/24	09/30/26
NELSON L. FEENEY	A1	10/01/24	09/30/26

**Building Board of Adjustment and Appeals**

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
NO APPOINTMENT MADE	1	10/01/24	09/30/26
NO APPOINTMENT MADE	2	10/01/24	09/30/26
NO APPOINTMENT MADE	3	10/01/24	09/30/26
NO APPOINTMENT MADE	4	10/01/24	09/30/26

**Parks and Recreation Advisory Committee**

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
JENNIE KENT	5	10/01/24	09/30/26
DORIS MICHALAK	6	10/01/24	09/30/26
RACHEL BEAZLEY	7	10/01/24	09/30/26

**Golf Course Advisory Committee**

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
RONALD SCHIELKE	5	10/01/24	09/30/26
JACK VAUGHAN	6	10/01/24	09/30/26
KEVIN ROSS	7	10/01/24	09/30/26

Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE PLANNING AND ZONING

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COMMISSION (P&Z) AND THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE (CIAC), THE BOARD OF ADJUSTMENT (BOA), THE BUILDING BOARD OF ADJUSTMENT AND APPEALS (BBOAA), THE PARKS AND RECREATION ADVISORY COMMITTEE (PRAC), AND THE GOLF COURSE ADVISORY COMMITTEE (GCAC).

**3. Consider setting the City Secretary’s compensation for budget year 2024-2025.**

In consideration of this item, Council Member Wasson moved to set the City Secretary’s compensation for budget year 2024-2025 at a 3% increase. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**4. Consider setting the City Manager’s compensation for budget year 2024-2025 and consider employment agreement amendments.**

In consideration of this item, Council Member Wasson moved to set the City Manager’s compensation for budget year 2024-2025 at a 3% increase, and in addition thereto, the amendments discussed in Executive Session. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, and Rossi

Nays: Council Member McCrea

The motion carried.

**M. ADJOURN**

There being no further business on the agenda the meeting was adjourned at 10:56 p.m.

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Lorri Coody, TRMC, City Secretary

