

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON DECEMBER 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 7:03 p.m. with the following present:

Mayor, Bobby Warren

City Manager, Austin Bleess

Council Member, Drew Wasson

City Secretary, Lorri Coody

Council Member, Sheri Sheppard

City Attorney, Justin Pruitt

Council Member, Connie Rossi

Council Member, Jennifer McCrea

Council Member, Michelle Mitcham was not present at this meeting.

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; and Miesha Johnson, Community Development Manager.

B. INVOCATION, PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Dave Seymour, Missions Pastor, Foundry 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.

Mark Zehler, 16022 Singapore Lane, Jersey Village, Texas (713) 896-1210 – Mr. Zehler spoke to City Council. He applauded the Council's decision to step away from the Stadium Project on the South side of US HWY 290. He also spoke to the failed pool bonds. He explained his feelings about the two bonds. He stated that he was disappointed with the second bond and the \$10.1 price tag and he wants City Council to rethink this bond. He also thanked the Mayor for his service.

Denise Jungles, 8529 Wyndham Village Drive, Jersey Village, Texas (713) 859-0552 – Ms. Jungles spoke to City Council about the condition of the structure located at 8401 Rio Grande. She stated that this home has been under construction for some time and the project needs to finish up. She wants the project completed. She also spoke to homes being elevated and the unsightly raised garages. She also spoke to the water bills and how she was encouraged to get another meter to reduce costs; however, she did not realize that in doing so, she would incur an additional monthly fee for this meter. She wants City Council to do something about the extra fee. City Manager Bleess explained the next steps concerning the home on 8401 Rio Grande. Ms. Jungles had additional questions, to which Mayor Warren stated that since there is no posting for this topic on the meeting agenda, City Council cannot discuss the next steps at this time. Mayor

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

Warren stated an item will be placed on a future agenda. He also stated that at the last City Council meeting an ordinance was passed to address the elevated garage door issue.

Eric Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 567-0974 – Mr. Henao spoke to City Council. He thanked Lorri Coody and Isabel Kato for their many years of service and dedication to the City. Both are very distinguished, and he wished them the best in their retirement. He thanked City Council for their many hours of volunteer work. He is grateful for their service. He thanked City Staff for their work, and he thanked City Manager Bleess for his hard work and service to the City. He thanked the Fire Department and the Police Department for their service to the community as both give incredible service to the City. He stated that October Fest was amazing. The Fourth of July fireworks display was amazing as the view was the best ever. He stated he was thankful for the City's work concerning flooding and hurricane preparedness. He was also thankful for restaurant week. The bridge at the golf course is a memorable experience and the expansion of the Golf Course Clubhouse is great.

Rick Faircloth, 16010 Lakeview Drive, Jersey Village, Texas (713) 466-8065 – Mr. Faircloth spoke to City Council. He is happy to see that the new clubhouse is open. However, two seniors attending an event last week did not have access to handicapped parking. They would like to see the parking in front of the clubhouse, and they would like to have the parking lot repaved. He also spoke to the consent agenda item to appoint a City Secretary. He would like to have this item removed and placed on the regular agenda. He also spoke to the item on the agenda concerning the Charter Review Commission's Report. He would like the Council to place these items on the next City ballot. City Manager Bleess stated that there are handicapped parking spots at the restaurant and staff will look into the suggestion for additional handicapped parking.

Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 689-9878 Ms. Henao gave her 39th installment concerning the History of the City of Jersey Village.

E. CITY MANAGER'S REPORT

City Manager Bleess gave the following Monthly Report. He gave an update about the closing date on the purchase of the Church Property. He stated that we have had the inspections and are in the process of planning the use for each building.

- 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**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

7. Code Enforcement Report

F. CONSENT AGENDA

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

Each Consent Agenda item appears below with background information. Items 2 and 4 were pulled from the Consent Agenda for further discussion. Accordingly, Items 2 and 4 contain discussion information as well as Council's vote, if applicable. The vote on Items 1, 3 and 5 are found at the end of the Consent Agenda.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on November 19, 2024, and the Special Session Meetings held on November 14, 2024, and November 18, 2024.**
- 2. Consider Resolution 2024-93, appointing a City Secretary.**

BACKGROUND INFORMATION:

City Council interviewed four candidates for the position of City Secretary. It was the consensus of Council that Courtney Rutherford was the best candidate for the position. Council subsequently directed the City Manager to negotiate with Courtney Rutherford.

She has accepted the position.

Mayor Warren stated that City Secretary, Lorri Coody will be retiring from the City on February 7, 2025. He introduced Courtney Rutherford as the new City Secretary.

Ms. Rutherford came forward. She thanked the Council for this opportunity. She stated that she was born and raised in Jersey Village and has previously worked in the City for some 17 years in various departments in the City, including serving as the Assistant City Secretary to Lorri Coody. She left the City to work as the City Secretary in Meadows Place in order to gain experience. Now, she is returning to Jersey Village to serve as City Secretary. She is so thankful for this opportunity.

With no further discussion on this matter, Council Member Sheppard moved to approve Resolution 2024-93, appointing a City Secretary. Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-93

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING A CITY SECRETARY.

- 3. Consider Resolution 2024-94, appointing an Emergency Management Coordinator and an Assistant Emergency Management Coordinator for the City of Jersey Village.**

BACKGROUND INFORMATION:

The State of Texas Governors Division of Emergency Management and the Texas Department of Homeland Security requires that each local government appoint/re-appoint their emergency manager and assistant emergency manager. This documentation is submitted annually with the upcoming year submitted electronically. Attached you will find the State Form TDEM 147, required to be submitted to the State of Texas.

It is staff's recommendation that council authorize Mayor Bobby Warren to sign the documentation appointing the Fire Chief to serve as the Emergency Management Coordinator and the Assistant Fire Chief to serve as Assistant Emergency Management Coordinator.

RESOLUTION NO. 2024-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR AND AN ASSISTANT EMERGENCY MANAGEMENT COORDINATOR.

- 4. Consider Ordinance No. 2024-37, correcting drawing errors inadvertently made to the City of Jersey Village Official Zoning Map from June 14, 2018, through July 15, 2024, that were not in compliance with City Council Ordinances.**

BACKGROUND INFORMATION:

Recently, City Staff has learned of drawing errors that were inadvertently made to the City of Jersey Village Official Zoning Map from June 14, 2018, thru July 15, 2024, that were not in compliance with initially approved City Council Ordinances.

The areas of the zoning map that were erroneously updated include the following:

- The Motor Vehicle Sales Overlay (MVSO) District – initially approved via Ordinance 2010-40 and amended via Ordinance 2016-25;
- The Service Franchise, Inc. (I-Shine Carwash) Specific Use Permit (SUP) and the Senate Avenue Pharmacy SUP – initially approved via Ordinance 2014-05 and Ordinance 2024-20 respectively; and
- The 8805 Jones Road District Amendment – initially approved via Ordinance 2018-13.

This item is to approve an Ordinance that will make the necessary corrections to the City's Official Zoning Map.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

Council engaged in discussion about the corrections. City Secretary Coody explained the process used to identify the needed corrections. City Attorney Pruitt pointed out that the map is not being updated, only correct to comply with ordinances already approved by City Council.

With no further discussion on the matter, Council Member Wasson moved to approve Ordinance No. 2024-37, correcting drawing errors inadvertently made to the City of Jersey Village Official Zoning Map from June 14, 2018, through July 15, 2024, that were not in compliance with City Council Ordinances. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2024-37

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CORRECTING DRAWING ERRORS INADVERTENTLY MADE TO THE CITY OF JERSEY VILLAGE OFFICIAL ZONING MAP FROM JUNE 14, 2018, THROUGH JULY 15, 2024, THAT WERE NOT IN COMPLIANCE WITH THE CITY COUNCIL'S ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

5. Consider Resolution No. 2024-99, authorizing the Application for Texas Department of Motor Vehicle Catalytic Converter Crime Prevention Grant.

BACKGROUND INFORMATION:

This item was approved by Council at the November Council Meeting. However, the grant application required new wording on the Resolution. Accordingly, the Resolution wording has been updated for Council's review and approval.

This item is seeking approval to apply for a grant from the Texas Department of Motor Vehicles to help fund our current Flock camera system. This grant would be a part of the Texas Department of Motor Vehicle Catalytic Converter Crime Prevention Grant.

The goal of this grant is to help supplement our current costs for our Flock camera system. As it stands now we currently pay \$130,000 a year to maintain and use the Flock camera license plate reader system. We have a total of 52 cameras throughout the city that this contract maintains and allows access to. If this grant is approved we would only pay 20% of the contract for a total of \$21,667. This would save the city \$108,333 for this fiscal year.

The Flock License plate reader system has greatly aided our police Department over the last few years.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

In 2023 the Flock Camera System had a total of 357 license plate reader hits for stolen vehicles, wanted subjects, stolen license plates or person of interest in criminal activities. We recovered a total of 123 stolen vehicles and license plates in 2023 with the use of the license plate readers.

The Flock contract is already an item that is budgeted for this current fiscal year and this grant would only supplement the contract and save the city money.

RESOLUTION NO. 2024-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,
TEXAS, AUTHORIZING APPLICATIONS FOR THE TEXAS DEPARTMENT
CRIME PREVENTION AUTHORITY GRANT.

Items 2 and 4 were 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 are as follows:

Council Member Wasson moved to approve items 1, 3, and 5 on the Consent Agenda. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

G. REGULAR AGENDA

- 1. Consider Ordinance No. 2024-38, amending Section 14-38(B) “Officers; Conduct of Meetings” to provide that the City Secretary is the Secretary of the Building Board of Adjustment and Appeals instead of the Building Official of the City; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

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

The Building Board of Adjustment and Appeals plays an important role in handling appeals related to and recommending the adoption of new building regulations, though it meets infrequently—only six times since 2015, and twice since 2020. Currently, city ordinance designates the building official as the secretary to this board. However, with the building official now a contractor and not a full-time employee, and relatively new staff in the community development department there is less familiarity with our processes for meeting preparation and agenda management. This has led to inconsistencies in the support provided to the board and, by extension, to the City Council. Because the board meets infrequently and the city secretary handles the majority of other boards and commissions, it makes sense for this one to be handled by the city secretary as well.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

Recently, staff members have stepped in to assist as the secretary to the board, but they do not regularly do agendas or board communications. As such the experience for this board has not matched the level of service typically provided when the city secretary manages meeting agendas. The city secretary brings a deep understanding of council and board processes, ensuring consistency, professionalism, and adherence to established procedures. By designating the city secretary as the board's secretary, we can ensure that all volunteer boards, including the Building Board of Adjustment and Appeals, receive the same level of support and service as the City Council.

The building official, and other necessary staff, would still be involved with this meeting. They would present the issues and help answer questions the board might have. The City Secretary would be in charge of the organizational aspect of the meeting such as setting the date, time, sending out the packet, doing the minutes of the meeting, and record keeping.

Updating the ordinance to reflect this change will align the board's operations with other city boards and committees. This small adjustment will provide clarity, improve efficiency, and enhance the experience for all involved in the board's activities.

The City Attorney explained the Building Official's participation. He explained that the building official is an ex-officio member of the board and will still be present at the meetings.

With limited discussion on the matter, Council Member McCrea moved to approve Ordinance No. 2024-38, amending Section 14-38(B) "Officers; Conduct of Meetings" to provide that the City Secretary is the Secretary of the Building Board of Adjustment and Appeals instead of the Building Official of the City; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date. Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2024-38

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING SECTION 14-38(b) "OFFICERS; CONDUCT OF MEETINGS" TO PROVIDE THAT THE CITY SECRETARY IS THE SECRETARY OF THE BUILDING BOARD OF ADJUSTMENT AND APPEALS INSTEAD OF THE BUILDING OFFICIAL OF THE CITY; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND, PROVIDING AN EFFECTIVE DATE.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

2. **Consider Resolution No. 2024-95, setting the schedule for Regular City Council Meetings for the period beginning June 2025 and ending May 2026 in order to make the Council’s meetings more accessible to the public and to accommodate conflicts with City holidays, the city election cycle, and local school schedules.**

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

The City’s Charter requires the following concerning meetings of the Council:

“Sec. 2.09. - Meetings of the council. There shall be at least one regular meeting of the council each month. All meetings shall be public, except where permitted by law to be closed in whole or part to the public, and shall be held at the city hall or other public place in the city. Special meetings may be called at any time by the city secretary upon request of the mayor, the city manager or three members of the council.”

In connection with this Section of the Charter, the Council traditionally has met on the third Monday of each month. However, for the following reasons, it may be prudent for the Council to consider setting a schedule for future meeting dates in order to accommodate conflicts with conducting its meetings on the third Monday of each month:

1. An increasing desire that Council meetings accommodate the local school schedule.
2. Conflicts with City holidays that fall on the third Monday of the month;
3. Conflicts with the city election cycle wherein the canvass date must be no later than the 11th day following Election Day (1st Saturday of the month).

Based upon these things staff is offering two options for the City Council to choose from for Council meeting dates for June 2025 and beyond.

Option 1 could be moving the regular City Council meetings to the third **Tuesday** of each month. This would avoid Monday holidays. It would also give Council an extra day to review the Council packet and meet with staff to review it before the meeting. One potential issue with meeting on the third Tuesday would be if the Council were to call an election for November 2025 that would have to be done by August 18, and the third Tuesday is August 19. If that were to happen, we would have to call the election in July or move the August meeting date. We would also have to adjust our May meeting for the election canvassing.

Option 2 would be to keep the third **Monday** of each month as the regular meeting date but adjust the dates for holidays and election canvassing. In this situation staff would recommend the following meeting dates.

June 23, 2025 – 3 rd Monday	December 15, 2025 – 3 rd Monday
July 21, 2025 – 3 rd Monday	January 12, 2026 – 2 nd Monday
August 18, 2025 – 3 rd Monday	February 9, 2026 – 2 nd Monday
September 15, 2025 – 3 rd Monday	March 16, 2026 – 3 rd Monday

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

October 20, 2025 – 3 rd Monday	April 20, 2026 – 3 rd Monday
November 17, 2025 – 3 rd Monday	May 13, 2026 – Wednesday

In either scenario it is anticipated that Council will want to keep the meeting times at 7pm, but that is up to the Council to decide if they would like to change that.

As part of setting dates for Council meetings staff is recommending setting the July Budget meeting for Friday, July 18, 2025, starting at 8:30 am.

Council engaged in discussion about the proposed dates. With no further discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2024-95, setting the schedule for Regular City Council Meetings in accordance with Option 2 for the period beginning June 2025 and ending May 2026 in order to make the Council’s meetings more accessible to the public and to accommodate conflicts with City holidays, the city election cycle, and local school schedules. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, SETTING THE SCHEDULE FOR REGULAR CITY COUNCIL MEETINGS FOR THE PERIOD BEGINNING JUNE 2025 AND ENDING MAY 2026 IN ORDER TO MAKE THE COUNCIL’S MEETINGS MORE ACCESSIBLE TO THE PUBLIC AND TO ACCOMMODATE CONFLICTS WITH CITY HOLIDAYS, THE CITY ELECTION CYCLE, AND LOCAL SCHOOL SCHEDULES.

- 3. Consider Ordinance No. 2024-39, amending the General Fund, TIRZ 3, and GO Bond Series 2024 Budgets for the fiscal year beginning October 1, 2023, and ending September 30, 2024, in the amount not to exceed \$1,376,188 to amend various line items.**

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

In reviewing the governmental funds financial statements, we realized that some line items were over budgeted due to unforeseen expenditures necessary for the operation of the City. The budget to actual comparisons must be presented within the Annual Comprehensive Financial Report (ACFR) for all the individual governmental funds with legally adopted annual budget, in this case the General Fund, TIRZ 3, and GO Bond Series 2024 Funds. For this reason, it is necessary to request from City Council the approval of these budget amendments to the various line items included on the attached Exhibit A Budget Amendment/Transfer Forms in order to make the necessary adjustments before

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

the closing of fiscal year 2023-2024. All these amendments are in order to provide for the over budget line items.

Council engaged in discussion about the proposed amendments.

With no further discussion on the matter, Council Member Sheppard moved to approve Ordinance No. 2024-39, amending the General Fund, TIRZ 3, and GO Bond Series 2024 Budgets for the fiscal year beginning October 1, 2023, and ending September 30, 2024, in the amount not to exceed \$1,376,188 to amend various line items. Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2024-39

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL, TIRZ 3 AND GO BOND SERIES 2024 FUNDS BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, IN THE AMOUNT NOT TO EXCEED \$1,376,188 BY INCREASING VARIOUS LINE ITEMS.

4. 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 Coordinator, introduced the item. She called upon Todd Traugott, a representative for Speedy Stop Food Stores, Inc. to give an update on the property.

Mr. Traugott told the Council that the building exterior has been painted, the ACM panels for the soffit and fascia have been completed, the roof curb will be sealed in on 12/10/24 and the HVAC unit will be set on 12/11/24. We are waiting on CenterPoint Energy to install the permanent power infrastructure so the HVAC can be powered up and the temporary power can be removed from the site. We will begin final cleaning the site and remove the temporary fence, porta-a-can, and dumpster by the end of the month of December. This will complete the renovation work until a tenant is found and the interior of the store will be built out to suit the new tenant.

This will be the last update to City Council on this project by Mr. Traugott. City Council was concerned how the property will be maintained until it is leased. Mr. Traugott explained that the building will be maintained until leased.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

City Attorney Pruitt explained that before this item can be closed out, the Building Official must inspect the property and file a report. The report will come back to City Council during the January meeting to receive the report and close out the project.

With limited discussion on the matter, Mayor Warren called the next item on the agenda as follows:

5. Discuss and take appropriate action regarding the City Pool.

Council Member Rossi has asked that this item be placed on the agenda in order to give City Council an opportunity to further discuss the desires of City Council as they relate to the City Pool. She believes it is important that the item be open for discussion about moving forward. She gave background information about what she has heard concerning the pool. Especially, now since the bond for the pool did not pass, it seems that the community wants the pool, but they do not want to go into debt for the pool and they do not want to spend \$10.1M on the pool. At this point, she is not ready to let the pool go. She has had contact from many residents that they too are not ready to let the pool go.

Council engaged in discussion about keeping the pool. It was pointed out that the existing pool is not up to code and the restrooms at the pool need to be upgraded. As a result, the cost to maintain the pool is too great and refurbishing the existing pool does not take into consideration the needs of the future. It was further stated that the reason the Council decided to go the bond route was because of the large expense it would take to address the pool's needs. Therefore, the option to pay for a pool through increased taxes was placed with the residents for a final decision made through a bond election.

Some members felt that there was much misinformation concerning the pool bond. However, the pool is beyond its useful life and can no longer be maintained in a safe manner. It is obvious that there is a disconnect in what is fact and needed to keep the pool and what the residents believe is doable. Council discussed the pool in depth and the safety of keeping the pool in its current condition. It was pointed out that Council had decided before the bond that the pool would be closed at the end of the 2024 season because of safety concerns and the maintenance costs. Some members pointed out that trust and communication from residents seems to be an issue. At the last meeting, input regarding the pool was asked for. Since that meeting, input was only received from 12 residents. Some members of City Council want to know what residents are interested in paying for a pool and how do they expect to raise the funds for the project.

The swim team was discussed. They are working on a plan to move forward outside of the pool in Jersey Village. The condition of the pool and/or plans for moving forward to address a City Pool were discussed.

City Manager Bleess explained why the City did not bid the pool before taking the decision to the residents via a bond election. He explained that the Bond Committee was appointed to review pool needs and to recommend a concept to City Council. He

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

explained the process taken by the Committee. He also explained the actual bidding process and the legal requirements that a City faces connected with going out for a bid.

Some members felt that moving forward, a pool should be included in the Comprehensive Plan Update. Also, the current pool is set for demolition. It is no longer safe for use. The problem with residents not accepting the study information concerning the pool was also discussed.

6. Discuss and take appropriate action concerning any Charter amendments to be included on a May 2025 special election ballot.

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

In accordance with Section 9.14 of the City's Charter, Council during its Regular Session on July 15, 2024, appointed the 2024 Charter Review Commission to inquire into the operation of our city government and propose, if desirable, amendments to our Charter that would improve its effective application to our current conditions.

After conducting several meetings with staff, this Council, and the public, the Commission, made its report and recommendations to City Council on November 19, 2024. The report outlined the following recommended Charter Amendments:

- *Section 3.01 of the Charter be amended to add the following sentence to the end of the Section: "As allowed by applicable law, for City-run elections, the Election Judge shall not direct the counting of ballots until all polls have closed."*
- *Section 5.05 of the Charter be amended to read as follows: "The city secretary or an assistant city secretary shall give notice of council meetings; shall keep the minutes of proceedings of council meetings; shall authenticate by signature and record in full, in a book kept and indexed for that purpose, all ordinances and resolutions; shall hold and maintain the city seal, and affix the seal to all instruments requiring it; and, shall perform other duties required by the council, this Charter, or the laws of the State of Texas."*

On November 19, 2024, City Council received and published the Commission's Report in accordance with Section 9.14 of the Charter. However, during the November 19, 2024, meeting, City Council had the following discussions:

Council engaged in discussion about the report. Chairman Faircloth was asked to give information about discussions had wherein changes were discussed but were not included as a recommendation for change, to which he responded accordingly.

Some members had questions concerning Section 3.01 regarding the counting of ballots. City Attorney Pruitt gave a brief summary of the Commission's discussions concerning this recommendation. He also stated what was told to the Commission concerning the law as it relates to the counting of ballots.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

City Secretary Coody explained the process of counting ballots at the precinct level during Election Day and the applicable laws governing same. She closed by stating that should this amendment be taken to the residents for a vote and it passes, the City would need to purchase costly election equipment and fund maintenance costs as the counting of votes at the precinct level would no longer be an option.

There was discussion concerning the approval of these recommendations for a May Election. Some wondered why the Council would not want to move forward with same. City Attorney Pruitt explained the problems that may arise concerning the counting of ballots should there be a contest.

*He stated that both the Secretary of State and Texas Municipal League have provided input in the meeting packet. They both state that according to Election Code Section 65.002(a), an Election Judge **MAY** order the counting of ballots before the polls have closed. They both agree that because Section 65.002 establishes the timeframes in which ballots must be counted, it is possible that a court could determine that a City Charter provision that prohibits the counting of ballots before the time the polls close on election day would be inconsistent with the timeframes outlined in Election Code 65.002. Additionally, the Secretary of State points out considerations for future changes in State Law that could complicate matters and that City Charter amendments are only permitted every two years, adding further complications.*

*City Attorney Pruitt went on to say that since **MAY** isn't **SHALL/MUST**, he does not think the proposed Charter requirement is in violation with State law. However, he advised that Council should consider that if State law is meant to show that using the word "may" is intended to give the Election Judge discretion, then it could be that having a Charter provision that limits the State-authorized discretion would be invalid.*

Mr. Pruitt went on to say, in order to avoid ambiguity, the proposed amendment could be "cleaned up" to specify that it applies only to City run elections for which there is no third-party (like the County or a School District) under contract to run the elections. Also, the proposed amendment could specify that it applies to both regular and special elections.

The Council engaged in discussion about the recommendations and whether these recommendations should be taken to the residents. There was concern about going against what State Law provides. Other Council Members felt we should give the residents the opportunity to vote on this measure. The counting of ballots was discussed.

City Attorney Pruitt explained State Law concerning the powers of an Election Judge.

This item is for City Council to direct staff concerning Charter amendments to be included on the May 2025 special election ballot in order that staff may begin preparations of the appropriate order to call this special election.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

Council engaged in discuss concerning Charter amendments to be included on the May 2025 Ballot.

The amendment concerning ballot counting was discussed. It was mentioned that there is some concern that results will get out to the public before appropriate. Council discussed same. There is great respect for those serving on the Charter Commission and their recommendation. However, placing such an item on the ballot does not give an option to explain the issue to voters for them to consider an unintended consequences that may arise as a result of the Charter amendment. It will only be language to make the amendment. There was concern for the cost. First, the cost of the election. Secondly, if the amendment were passed, the City would need to purchase expensive voting equipment as a manual count will no longer be feasible. However, it was pointed out, that should manual counting be continued after an approved amendment, it would be difficult to get volunteers to work the election given the late hours needed to complete the count.

The manual count conducted during the May 2021 election was discussed. During that election, it took many hours to come up with results due to the large number of items on that ballot. Residents were not happy.

Some members felt that since the Charter Review Commission has made these recommendations, perhaps it is necessary to move forward with same.

The implication of making this change is very important. City Secretary Coody explained the counting process in great detail and the State laws associated with same.

Some members felt that while the Commission has made its recommendations, the Council must decide with discretion whether this should be taken to the people. Some felt an amendment of this nature was seeking a solution for a problem that does not exist. If we take this to the public and it passes, we can only take it back to the people after two years should the City encounter problems and wish to make further amendments. This could be problematic.

Some felt that perhaps the vehicle is to address the recommendation is in the form of an Ordinance as opposed to a Charter amendment. Others agreed that making it as a Charter amendment opens the City to unintended consequences that can only be resolved by another Charter Amendment. City Attorney Pruitt explained some issues that could arise concerning such an amendment. He also gave background information concerning the discussions had by the Charter Commission.

Memorializing election integrity was discussed. Rick Faircloth gave information concerning the Commission's discussions about using an Ordinance as opposed to a Charter Amendment to resolve the issue. The Commission felt that Ordinances are not permanent and can change when the makeup of City Council changes.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

The amendment concerning the assignment of tasks by the City Manager to the City Secretary was discussed. City Attorney Pruitt explained the amendment being recommended. Council discussed the amendment.

City Staff was directed to review what other cities are doing concerning counting of ballots.

It was the consensus of City Council that the amendment for Section 5.05 be placed on the May ballot.

7. Discuss water meter fees and provide direction to staff for possible changes to be considered at a later date.

Drew Wasson, Council Member, introduced the item. Background information is as follows:

We currently have approximately 1,480 residential homes that have one meter and 750 that have a home meter and an irrigation meter. Currently each meter has a fee of \$15 per month. This means that if you have an irrigation meter, you are paying a total of \$30 per month in meter fees.

If we transition to a water connection fee rather than a meter fee, the \$15 fee for irrigation meters would be eliminated. However, to maintain revenue neutrality, the monthly fee would need to be raised to \$20.05. This would result in a \$5.05 increase for the 1,480 residential homes without an irrigation meter, while the 750 homes with an irrigation meters would see a decrease of \$9.95 each month.

We also have approximately 80 commercial meters and another 80 that have a commercial and irrigation meter, with a current fee of \$65.22 per meter. This means a company with an irrigation meter is currently paying \$130.44 per month in meter fees.

Under the proposed water access fee, the irrigation meter fee would be removed. To ensure revenue neutrality, the monthly fee would need to increase to \$97.83. This would lead to an increase of \$32.61 per month for the 160 commercial locations, while the 80 commercial irrigation meters would see a \$32.61 decrease in their monthly bill.

There is also a possibility to combine the water and sewer into one rate, rather than having it separated out into two lines on the bills. Because our utility fund operates with one department for both water and sewer all the revenue goes to one place. We do track expenses for water and sewer plants, along with the infrastructure, separately. But our staff have both water and wastewater licenses and can work in both areas.

This item tonight is not for action, but a chance for the City Council to discuss the issue. If the Council would like to move forward with action on the topic at the January meeting the appropriate direction can be given to staff tonight so the item can be brought back in January.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

Council engaged in discussion about the meter fees. Some members do not support the second meter fee for the irrigation meter. It seems to be a deterrent to residents for getting a second meter for irrigation that results in a punishment in the form of an increase monthly meter fee. Some wondered why we cannot just eliminate the fee for the irrigation meter. However, it was pointed out that there are costs associated with the second meter that need to be funded (\$135K). Various solutions to the charging of these fees were discussed. City Manager Bleess explained how the meters are read. Base meter fees per location were discussed. A base fee for water and a base fee for wastewater was discussed. Some members felt that one base fee makes sense. Council provided Staff direction to bring back information for further discussion during a work session meeting.

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;
- 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 Sheppard: Council Member Sheppard wished everyone Happy Holidays and a Merry Christmas.

Council Member Wasson: Council Member Wasson wished all a Merry Christmas. He thanked Lorri Coody and Isabel Kato for their service to the City. He welcomed Courtney Rutherford. He thanked Justin Pruitt for his service as City Attorney. He will be leaving the City at the end of the year.

Council Member Rossi: Council Member Rossi congratulated Courtney Rutherford on her appointment. She stated that she will miss Justin Pruitt, Lorri Coody and Isabel Kato. She attended the Grand Opening for the Convention Center. It is very nice. She is happy to see all the Christmas lights around the City and she congratulated the decorating contest winners. She thanked the Police and Fire for their services. She wished everyone Happy Holidays.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

Council Member McCrea: Council Member McCrea echoes all said by the other Members. We will miss you, Justin. She encouraged all to be on the lookout for Santa.

Bobby Warren: Mayor Warren reiterates what other members have said. Congrats to Courtney Rutherford. He is looking forward to work with you. Thank you, Justin, for your service to the City. We will miss you. Merry Christmas and a Happy New Year. Wishing everyone all the best.

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 Section 551.072 – Deliberations about Real Property, Section 551.071 – Consultations with Attorney, and Section 551.074 – Personnel Matters at 9:54 p.m.

J. EXECUTIVE SESSION

1. Pursuant to the Texas Open Meetings 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.
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 Tax Increment Reinvestment Zone No. 2 Board.
3. 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 Tax Increment Reinvestment Zone No. 3 Board.
4. 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 Board of Adjustment (BOA).

K. ADJOURN EXECUTIVE SESSION

Mayor Warren adjourned the Executive Session at 10:36 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.

This item is to 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.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

The Church property purchase is set for closing on Wednesday. We have received several offers for the purchase of some of the City owned land on the South side of US HWY 290 and we are currently working through negotiations concerning same.

2. Consider Resolution No. 2024-96, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 2 for the City of Jersey Village, Texas.

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

City Council has heretofore met in Executive Session to deliberate the appointment of members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 2 for the City of Jersey Village, Texas.

This item is to appointment members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 2 in Positions 3, 4, 5, and 7 for the term that begins January 1, 2025, and ends December 31, 2026.

With limited discussion on the matter, Council Member McCrea moved to approve Resolution No. 2024-96, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 2 for the City of Jersey Village, Texas as follows:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
Lyle Henkel	3	01/2025	12/2026
Jane Munoz	4	01/2025	12/2026
James MacDonald	5	01/2025	12/2026
Judy Tidwell	7	01/2025	12/2026

Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO SERVE AS DIRECTORS ON THE TAX INCREMENT REINVESTMENT ZONE BOARD NO. 2 FOR THE CITY OF JERSEY VILLAGE, TEXAS.

3. Consider Resolution No. 2024-97, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 3 for the City of Jersey Village, Texas.

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

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

City Council has heretofore met in Executive Session to deliberate the appointment of members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 3 for the City of Jersey Village, Texas.

This item is to appointment members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 3 in Positions 5, 6, and 7 for the term that begins January 1, 2025, and ends December 31, 2026.

With limited discussion on the matter, Council Member Wasson moved to approve Resolution No. 2024-97, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board No. 3 for the City of Jersey Village, Texas as follows:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
Meg Crady	5	01/2025	12/2026
Vacant	6	01/2025	12/2026
Visente Lopez	7	01/2025	12/2026

Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO SERVE AS DIRECTORS ON THE TAX INCREMENT REINVESTMENT ZONE BOARD NO. 3 FOR THE CITY OF JERSEY VILLAGE, TEXAS.

4. Consider Resolution No. 2024-98, appointing members to the Board of Adjustment and appointment a Chair for the Board of Adjustment.

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

City Council has heretofore met in Executive Session to deliberate the appointment of members to the Board of Adjustment and the appointment of a Chair for the Board of Adjustment.

This item is to make appointments for the unexpired term of Positions 1 and 3 on the Board of Adjustment and any other changes in positions on the Board that the Council desires. Additionally, the Council will need to appoint a member on the Board to serve as Board Chair for the unexpired term that began on October 1, 2024, and will terminate on September 30, 2025.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – DECEMBER 16, 2024

With limited discussion on the matter, Council Member Rossi moved to approve Resolution No. 2024-98, appointing members to the Board of Adjustment as follows:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
NELSON L. FEENEY	1	10/01/23	09/30/25
JUDY TIDWELL	2	10/01/23	09/30/25
SCOTT MCCARTHY	3	10/01/23	09/2025
BILL SMOTHERS	4	10/01/24	09/2026
M. REZA KHALILI	5	10/01/24	09/30/26
JAKE KEEL	A1	10/01/24	09/30/26
RICARDO CRUZ HUMBERT	A2	10/01/24	09/30/26

and appointing M. Reza Khalili as Chair for the Board of Adjustment. Council Member McCrea seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Rossi and McCrea

Nays: None

The motion carried.

RESOLUTION NO. 2024-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE BOARD OF ADJUSTMENT (BOA), AND APPOINTING A CHAIR FOR THE BOARD OF ADJUSTMENT (BOA).

M. ADJOURN

There being no further business on the agenda the meeting was adjourned at 10:40 p.m.

Lorri Coody, TRMC, City Secretary

