MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JULY 19, 2021 AT 6:00 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 6:16 p.m. with the following present:

Mayor, Bobby Warren Council Member, Drew Wasson Council Member, Sheri Sheppard

Council Member, Michelle Mitcham Council Member, James Singleton Council Member, Gary Wubbenhorst City Manager, Austin Bleess City Secretary, Lorri Coody City Attorney, Justin Pruitt

The following City of Jersey Village Planning and Zoning Members were present:

Rick Faircloth, Chairman Courtney Standlee, Commissioner Barbara Freeman, Commissioner Debra Mergel, Commissioner

Commissioners Ty Camp, Jennifer McCrea, and Joseph Paul were not present at this meeting.

Staff in attendance: Mark Bitz, Fire Chief; Isabel Kato, Finance Director; Kirk Riggs, Chief of Police; Robert Basford, Director of Parks and Recreation; and Harry Ward, Director of Public Works.

Bob Blevins, IT Director, was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

- 1. Prayer by Jeremy E. Ray American Legion Post 324 Chaplain.
- 2. Pledge by Stefanie Otto, Commander, Jeremy E. Ray American Legion Post 324.

C. PRESENTATIONS

1. Presentation of Police Department Employee of the Second Quarter Award – by Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.

Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post #324, along with Mayor Warren, presented the Police Department Employee of the Second Quarter award to Officer Dustin Hill.

D. JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION

1. Conduct a Joint Public Hearing with the Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include "massage establishment" as a specific use regulation in District F; and to amend Section 14-5 by adding definitions for "massage establishment" and "massage therapy."

Mayor Warren called the item and Chairman Rick Faircloth announced a quorum for the Planning and Zoning Commission. Mayor Warren opened the Joint Public Hearing at 6:21

p.m., stating that the purpose of the meeting was to give those in attendance the right to speak and be heard concerning the proposal to amend Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include "massage establishment" as a specific use regulation in District F; and to amend Section 14-5 by adding definitions for "massage establishment" and "massage therapy."

With no one signing up to speak at the hearing, Mayor Warren and Chairman Faircloth closed the joint public hearing at 6:22 p.m. and the Planning and Zoning Commission retired from the City Council meeting at 6:22 p.m. to conduct its posted meeting agenda and prepare final reports in connection with this joint public hearing.

Public Works Director Harry Ward, left the Council Chamber to attend the Planning and Zoning Commission Meeting at 6:22 p.m.

E. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

1. Receive the adopted fiscal year 2021-2022 budget from the Jersey Village Crime Control and Prevention District (CCPD).

Council received submission of the 2021-2022 fiscal year approved budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through the Board's Secretary, Lorri Coody.

2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District's budget for the fiscal year 2021-2022.

Mayor Warren opened the public hearing at 6:24 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2021-2022 Crime Control and Prevention District budget that had previously been submitted to Council by the Jersey Village Crime Control and Prevention District (JVCCPD) Directors for Council's approval.

Mayor Warren called upon Chief of Police, Kirk Riggs, to give a summary of the 2021-2022 JVCCPD budget. Chief Riggs explained that the budget being presented includes the following 2021-2022 supplementals:

Item	Cost	Funding Source	Line Item
Guardian Tracking/Background Svcs	2,600.00	CCPD	27-3510 / 21-3510
(1) Additional Taser	1,700.00	CCPD	27-3523 / 21-3523
Ballistic Vests	5,000.00	CCPD	27-3523 / 21-3523
Floor Mats for training	2,500.00	CCPD	27-3523 / 21-3523
Tuition Assistance Program	5,250.00	CCPD	27-5029 / 21-5029
IACP-TPCA Annual Conference	6,000.00	CCPD	27-5029 / 21-5029
Financial Cop Licenses	2,000.00	CCPD	27-5029 / 21-5029
Flock Maintenance Agreement	104,000.00	CCPD	27-5030 / 21-5030
In-car Toughbooks (4)	40,000.00	CCPD	27-6573 / 13-6573
Total	\$169,050.00		

With no one signing up to speak on the 2021-2022 JVCCPD budget, Mayor Warren closed the public hearing at 6:30 p.m. and called the next item on the agenda.

3. Consider Resolution No. 2021-44, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2021-2022.

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-44, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2021-2022. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2021-2021 CRIME CONTROL AND PREVENTION DISTRICT BUDGET

F. CITY OF JERSEY VILLAGE FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT

1. Receive the adopted fiscal year 2021-2022 budget from the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD).

Council received submission of the 2021-2022 fiscal year approved budget from the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) through the Board Secretary, Lorri Coody.

2. Conduct a public hearing on the Jersey Village Fire Control Prevention, and Emergency Medical Services District's budget for the fiscal year 2021-2022.

Mayor Warren opened the public hearing at 6:32 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2021-2022 Fire Control Prevention, and Emergency Medical Services District budget that had previously been submitted to Council by the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) Directors for Council's approval.

Mayor Warren called upon Fire Chief, Mark Bitz, to give a summary of the 2021-2022 JVFCPEMSD budget. Chief Bitz explained that the budget being presented includes revenue projections and the following expenses:

ACCT. NO.	DESCRPTION	BUD	GET AMT.
49-26-3504	Wearing Apparel	\$	46,350.00
49-26-3505	Fire Prevention Supplies	\$	2,900.00
49-26-5024	Radio Usage Fees	\$	15,000.00
49-26-5029	Travel and Training	\$	20,000.00
49-26-5401	Election Expense	\$	5,000.00
49-26-5523	Personnel - Fire Control	\$	686,475.00
49-26-5524	Administrative	\$	24,154.00
49-26-9772	Technology User Fee	\$	96,373.00
49-26-9781	Equipment Purchase Contribution	\$	350,000.00
49-26-9791	Equipment User Fee	\$	424,581.00
	Total:	S	1,670,833.00

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to City Council about the 2021-2022 budget. He had questions about the amount projected to be collected for this District. He felt that originally this amount would have been collected for the property tax relief fund and Fire Control expenses were paid from the General Fund. However, in the recent election the voters abolished the property tax relief fund. He felt that the ballot propositions creating this District and abolishing the property tax relief fund were misleading.

With no one else signing up to speak on the 2021-2022 FCPEMSD budget, Mayor Warren closed the public hearing at 6:36 p.m. and called the next item on the agenda.

3. Consider Resolution No. 2021-45, adopting the Jersey Village Fire Control Prevention, and Emergency Medical Services District's Budget for fiscal year 2021-2022.

Mayor Warren introduced the item, explaining the requirements and responsibilities of City Council in connection with this budget.

Council engaged in discussion on the difference in the projected revenues between the CCPD and the FCPEMSD. There was also discussion about how in the past the JVFD was operated with volunteers. However, in recent years, finding volunteers has become more difficult and the City has had to pay for additional salaries and gear out of the General Fund. The District was created in order to fund expenses and future expenses of the Fire Department without having to be concerned about volunteer involvement.

Council also discussed that the move from a Property Tax Relief Fund to the FCPEMSD was forced upon the City as a result of SB2.

With no further discussion on the matter, Council Member Mitcham moved to approve

Resolution No. 2021-45, adopting the Jersey Village Fire Control Prevention, and Emergency Medical Services District's Budget for fiscal year 2021-2022. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2021-2021 FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT BUDGET

G. FISCAL 2021-2022 MUNICIPAL BUDGET ITEMS

1. Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2021-2022.

Mayor Warren opened the public hearing at 6:43 p.m. in order to give all interested parties the right to appear and be heard concerning the City of Jersey Village proposed municipal budget for the fiscal year 2021-2022.

Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 206-1184 — Mr. Fields thanked the Fire Department for helping him a few weeks back. He stated that they did an excellent job and he received very good service. He also spoke to the Parks and Recreation Budget. He mentioned that the budget proposes a 10% increase over last year. He spoke to the increases in salaries over the past four (4) years. He does not think that these increases are fair when Council will not grant the full benefit of the homestead exemption for residents.

Michael Stembridge, 15422 Jersey Drive, Jersey Village, Texas (713) 983-8647 – Mr. Stembridge spoke to the budget on page 60 pertaining to home elevations. He stated the amounts listed in the budget for home elevations. He told City Council that he wants his home elevated and has asked for this elevation for the past four (4) years. He at one time was on the list for an elevation, but his home was removed. He cannot be a part of the newly created TIRZ3 and as a result wants his home elevated.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to the 2021-2022 City budget. He stated he has reviewed the information. He made mention to past statements made by City Council Members stating that they do not want to take on additional debt, yet there is an area in the budget wherein the budget references a bond referendum to ask the residents if they are willing to take on \$20M in additional debt. He felt that this request is going against past statements. He then gave information about the total debt should the residents approve the \$20M in debt being requested. He also had

questions about the \$17.5M that that City had accumulated, and he wondered about the \$8M in property purchased by the City. He wants to know why this property has not been sold.

Council explained that questions concerning a request for additional debt via a bond election will be addressed during discussions had in the budget work session to follow the regular agenda items on this agenda.

With no one else signing up to speak, Mayor Warren closed the public hearing at 6:54 p.m. and called the next item on the agenda as follows:

2. Consider Resolution No. 2021-46, electing to postpone the final budget vote on the 2021-2022 Municipal Budget until August 16, 2021.

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

Section 102.006 of the Texas Local Government Code (LGC) requires that the governing body of a municipality shall hold a public hearing on the proposed budget. Accordingly, on July 19, 2021, City Council held the public hearing on the proposed 2021-2022 municipal budget, giving all interested parties the right to appear and be heard on the proposed fiscal year 2020-2021 Municipal Budget.

Additionally, Section 102.007 of the LCG requires that the City must take some sort of action on the budget at conclusion of hearing. This action could be a vote to postpone the final budget vote, which is a generally accepted practice.

With no further discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-46, electing to postpone the final budget vote on the 2021-2022 Municipal Budget until August 16, 2021. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ELECTING TO POSTPONE THE FINAL BUDGET VOTE ON THE 2021-2022 MUNICIPAL BUDGET UNTIL AUGUST 16, 2021.

3. Consider Resolution No. 2021-47, setting the maximum proposed ad valorem tax rate; setting date for the public hearing on tax increase; and setting the date City Council will adopt the fiscal year 2021-2022 ad valorem tax rate.

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

S.B. 2, also known as the Texas Property Tax Reform and Transparency Act of 2019, passed during the 2019 legislative session and made significant changes to the property tax rate setting process.

This bill requires that the Notice of Public Hearing on Tax Increase include, among other things, the Proposed Tax Rate. Since the City intends to hold the Notice of Public Hearing on Tax Increase on August 16, 2021, and given that August 12 is the last date to publish the Notice in the newspaper, it is appropriate that City Council set a "maximum" proposed tax rate. The proposed Resolution accomplishes same.

In approving this Resolution, Council is NOT setting the tax rate for FY 2021-2022, as that will be accomplished during the August 16, 2021 meeting. Approving the Resolution merely states that City Council will not exceed a tax rate of 1.018617 cents per \$100 taxable value. Additionally, the vote approving the Resolution must be a record vote.

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-47, setting the maximum proposed ad valorem tax rate; setting date for the public hearing on tax increase; and setting the date City Council will adopt the fiscal year 2021-2022 ad valorem tax rate. Council Member Mitcham seconded the motion. The record vote follows:

Council Member Wasson: Aye Council Member Singleton: Aye Council Member Sheppard: Aye Council Member Wubbenhorst: Aye

Council Member Mitcham: Aye

Mayor Warren, although present, did not vote.

The motion carried.

RESOLUTION NO. 2021-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING THE MAXIMUM PROPOSED AD VALOREM TAX RATE; SETTING DATE FOR THE PUBLIC HEARING ON TAX INCREASE; AND SETTING THE DATE CITY COUNCIL WILL ADOPT THE FISCAL YEAR 2021-2022 AD VALOREM TAX RATE.

H. 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.

<u>Andrew Mitcham, 15810 Acapulco Drive, Jersey Village, Texas (713) 202-6474</u> – Mr. Mitcham told City Council that his business is doing well. He applauds the residents for creating

the FCPEMSD. He also spoke to the Parks and Recreation Department. The recent Lazy Day Walk event was well run. Everyone enjoyed the event and it brought people into the City that frequented local businesses after the event. This foot traffic not only helps local businesses but it also increases revenues to the City through increased sales taxes. His company gave \$1.00 to the City for each tab created that day. He also spoke to the upcoming Founder's Day event. He would like to have a fireworks show for Founders Day but would also like to have a fireworks show next year on July 4.

<u>Charlotte Schwaig, 15618 Shanghai, Jersey Village, Texas (832) 444-4339</u> – Ms. Schwaig told City Council that she is not in favor of moving City Hall. She feels that Jersey Village has that small town feel and she believes moving the City Hall will disrupt this small town feel. She gave mention to the Farmer's Market and how it creates community. She also made mention to the Village Center project. She has heard that the developers are having trouble getting tenants. Aside from Village Center, she stated that there are many vacant spaces in the City and now is not the time to create more spaces that will ultimately be vacant. She also spoke for the need to have safeguards in place for solicitors going door to door offering COVID vaccinations.

<u>James MacDonald</u>, 16306 Acapulco, Jersey Village, Texas (832) 253-6167 — Mr. MacDonald gave words of appreciation to certain residents in the City. He gave specific information about Karie Lawrence and her contributions to the City. He wants to build a better Jersey Village through the creation of a new appreciation committee to make Jersey Village the best City in Texas. Preliminary plans include a family field day with various events.

I. CITY MANAGER'S REPORT

City Manager Bleess gave the following monthly report. He mentioned that a \$4.5M grant is under review and he stated that the City did receive a grant for three (3) emergency backup generators. There was also a report on the project status for the Berm/Wall Street Project. There was mention that the Golf Course revenues are above expenses with two more months left in this year's budget.

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report May 2021, General Fund Budget Projections as of June 2021, Utility Fund Budget Projections June 2021 and June Quarterly Investment Report.
- 2. Fire Departmental Report and Communication Division's Monthly Report
- 3. Police Department Monthly Activity Report, Warrant Report, Staffing/Recruitment Report, and Police Open Records Requests
- 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, Parks and Recreation Departmental Report and Greens Summer Improvement Report
- 7. Code Enforcement Report

J. CONSENT AGENDA

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

Each Consent Agenda item appears below with background information. Item 9 has been pulled from the Consent Agenda for further discussion. Accordingly, Item 9 contains discussion information as well as Council's vote. The vote on Items 1 through 8 and 10 is found at the end of the Consent Agenda.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on June 21, 2021 and the Special Session Meeting held on June 15, 2021.
- 2. Consider approval of the Corrected Version of the Minutes for the Regular Session Meeting held on May 10, 2021.
- 3. Consider Resolution No. 2021-48, authorizing the City Manager to enter in an Affiliation Agreement with Rice University to permit the Jersey Village Fire Department EMS Staff to proctor Rice University EMS students during 911 Response Training.

Mark Bitz, Fire Chief, submitted this item. Background information is as follows:

Rice University EMS program trains their Doctoral students in Emergency Medicine. Part of the process is for students to become EMT's and Paramedics. One thing they do not have is 911 response training. Rice University has reached out to Jersey Village and requested their students ride along with our EMS staff for 911 response training. This was mainly requested because Captain Trent Herrod is one of their lead instructors.

The Affiliation Agreement was included in the meeting packet. The City Attorney has reviewed the agreement, recommending no changes.

RESOLUTION NO. 2021-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER IN AN AFFILIATION AGREEMENT WITH RICE UNIVERSITY TO PERMIT THE JERSEY VILLAGE FIRE DEPARTMENT EMS STAFF TO PROCTOR RICE UNIVERSITY EMS STUDENTS DURING 911 RESPONSE TRAINING.

4. Consider Ordinance No. 2021-28, amending the Code of Ordinances of the City of Jersey Village, by amending, Chapter 14, "Building and Development," Article XXI, "Stormwater Management," at Section 14-671, "Purpose/intent;" Section 14-672, "Definitions;" Section 14-673, "Protection of stormwater drainage; permit required;"

by adding an new Section 14-674.1, "Stormwater pollution prevention plans (SWPPP);" by amending Section 14-676, "Inspection;" and Section 14-677, "Enforcement;" providing a severability clause; providing for repeal; providing for penalty; and providing an effective date.

Harry Ward, Director of Public Works, submitted this item. Background information is as follows:

Chapter 14, "Building and Development," Article XXI, "Stormwater Management," of our Code of Ordinances needs amendments in order to come in line with the current TCEQ Phase II General Permit.

City Staff has worked closely with our consultants at Jones | Carter and the amendments outlined in the proposed Ordinance will accomplish the needed changes to bring our Ordinance in line with the current TCEQ Phase II General Permit.

ORDINANCE NO. 2021-28

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, BY AMENDING, **CHAPTER** 14. "BUILDING AND DEVELOPMENT," **ARTICLE** XXI. "STORMWATER MANAGEMENT," AT SECTION 14-671, "PURPOSE/INTENT;" SECTION 14-672, "DEFINITIONS;" SECTION 14-673, "PROTECTION OF STORMWATER DRAINAGE; PERMIT REQUIRED;" BY ADDING AN NEW SECTION 14-674.1, "STORMWATER POLLUTION PREVENTION PLANS (SWPPP);" BY AMENDING SECTION 14-676, "INSPECTION;" AND SECTION 14-677, "ENFORCEMENT;" PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING FOR PENALTY; AND PROVIDING AN EFFECTIVE DATE.

5. Consider Resolution 2021-49, authorizing the City Manager to submit the grant application to the State Energy Conservation Office (SECO) for LED Light Conversions at the Police Department.

Austin Bleess, City Manager, submitted this item. Background information is as follows:

The State Energy Conservation Office (SECO) has a grant opportunity for local governments to convert to LED Light Retrofits. We are proposing to apply for a grant that would convert the Police Department to LED Lights. The estimated project cost is \$45,000. The grant would cover 80%, or \$36,000, and the city cost share would be \$9,000. We would budget this cost share as part of the upcoming Fiscal Year.

Applications are due by August 6, 2021 and they expect awards to be made by September 1, 2021. The project will have to be completed by August 31, 2022.

RESOLUTION NO. 2021-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO SUBMIT THE GRANT APPLICATION TO THE STATE ENERGY CONSERVATION OFFICE (SECO) FOR LED LIGHT CXONVERSIONS AT THE POLICE DEPARTMENT.

6. Consider Resolution 2021-50, authorizing the City Manager to negotiate a contract with Aguirre & Fields for the design services, permitting, and construction management of the E127 Project.

Austin Bleess, City Manager, submitted this item. Background information is as follows:

The City is doing a cost share with Flood Control for the E127 Channel Improvements Project. As the project is estimated, by Flood Control, to be \$3 million, the city cost share is \$1,500,000. Back in 2018 the city applied for, and was awarded, a grant in the amount of \$100,000 to help cover the cost share of the city to design the project.

Recently the City went out for RFQ for engineering firms for the E127 Project. As the City is taking the lead on this project, based upon the Interlocal Agreement that was approve between the City and County earlier this spring, we have received and reviewed the RFQ's.

The engineering firm would provide the following as part of the scope of work:

- Task 1: Project Management (including grant management)
- Task 2: Preliminary Engineering Report
- **Task 3: Design/Construction Drawings**
- Task 4: Permitting and ROW/Property Acquisition
- Task 5: Bidding
- **Task 6: Construction**

We received RFQ's from four different companies. They were evaluated by staff members and ranked accordingly.

We also had as part of the RFQ Minimum Standards for responsible prospective vendors. They included:

- 1. Have adequate financial resources, or the ability to obtain such resources as required;
- 2. Be able to comply with the required or proposed delivery schedule;
- 3. Be able to comply with all Federal, state, and local laws, rules, regulations; ordinances and orders regarding this request;
- 4. Have a satisfactory record of performance;
- 5. Have a satisfactory record of integrity and ethics;
- 6. Assign only qualified personnel to perform services required under this contract; and

7. Be otherwise qualified and eligible to receive an award.

There was one firm that we felt did not meet these standards.

A summary of the total points for each respondent is on the following page. The highest total score possible is 300.

	Aguirre Fields	Civil Tech	Cobb Fendley	DE Corp
Qualifications	86	85	84	
Understanding of Project	88	89	89	
Work Plan	60	55	58	Did not meet
Capacity to Perform	59	57	57	minimum
Total Score	293	286	288	standards

As shown in the summary Aguirre & Fields received the most points on this RFQ, and staff recommends we move forward with them.

At this stage we would need the Council to authorize the City Manager to conduct contract negotiations with the selected firm. That contract would be brought to Council in August for review and approval.

RESOLUTION NO. 2021-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH AGUIRRE & FIELDS FOR THE DESIGN SERVICES, PERMITTING, AND CONSTRUCTION MANAGEMENT OF THE E127 PROJECT.

7. Consider Ordinance 2021-29, amending the Capital Improvement Fund Budget for the Fiscal year beginning October 1, 2020 and ending September 30, 2021 by transferring from 10-91-7103 (New City Hall Construction) to line item 10-91-9765 (Transfer TIRZ 2) an amount not to exceed \$42,000 and at the same time amending the TIRZ 2 Fund Budget for the Fiscal year beginning October 1, 2020 and ending September 30, 2021 by allocating \$42,000 to line item 14-90-9760 (Transfer from CIP) and by increasing line item 14-95-7103 (New City Hall Construction) by an amount not to exceed \$42,000.

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

This would transfer \$42,000 from the CIP for the City Hall Construction to the TIRZ 2 fund to pay Brookstone for their work on putting together the Schematic Design and Design Development Estimates GMP, and value engineering. If we choose to proceed construction before the end of June 2022 half of these costs would be credited to our project.

As this work was done for the TIRZ, Staff recommends the transfer of funds to pay for this work.

ORDINANCE NO. 2021-29

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CAPITAL IMPROVEMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 BY TRANSFERRING FROM LINE ITEM 10-91-7103 (NEW CITY HALL CONSTRUCTION) TO LINE ITEM 10-91-9765 (TRANSFER TO TIRZ 2) WITH AN AMOUNT NOT TO EXCEED \$42,000 AND AMENDING TIRZ 2 FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 BY ALLOCATING \$42,000 TO LINE ITEM 14-90-9760 (TRANSFER FROM CIP) AND BY INCREASING LINE ITEM 14-95-7103 (NEW CITY HALL CONSTRUCTION) BY AN AMOUNT NOT TO EXCEED \$42,000.

8. Consider Resolution 2021-51, submitting the name of a qualified person for election to the TML Heath Benefits Board of Trustees for Region 14.

Lorri Coody, City Secretary, submitted this item. Background information is as follows:

The TML Heath Benefits Pool has requested the City's participation in submitting name of a Qualified Person for Election to the TML Heath Benefits Board of Trustees for Region 14.

Jason Reynolds, the City Manager from Nassau Bay, is the incumbent Board Trustee for Region 14 and wishes to continue service on the Board.

RESOLUTION NO. 2021-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SUBMITTING THE NAME OF A QUALIFIED PERSON FOR ELECTION TO THE TML HEATH BENEFITS BOARD OF TRUSTEES FOR REGION 14.

9. Consider Ordinance 2021-30, amending the Jersey Village Code of Ordinances at Chapter 2, Article IV, Division 2, Section 2-142 to provide for revisions to the schedule of fees related to permits and other miscellaneous services.

Harry Ward, Director of Public Works, submitted this item. Background information is as follows:

This proposal of the new fee structure is to simplify the City of Jersey Village schedule of fees to align closely with other municipalities that are similar in size and workflow. Additionally, the Community Development Department is underway with the implementation of the new program with MyGov to simplify and modernize the permitting process and workflow. The current fee schedule in place does not contribute to this simplicity nor is harmonious to the structure set up in MyGov, where setting up the fees are concerned.

The fees were determined after review of several other communities' proposals and against our present fee structure. Estimated revenues under this proposed fee structure should be the same as estimated under the previous fee structure.

Council engaged in discussion about the increase of the fees. Some members felt that these changes are being made to align with industry standards and to bring fees in line with surrounding Cities. Public Works Director stated that the changes are to align our practices with surrounding cities.

With no further discussion on the matter, Council Member Singleton moved to approve Ordinance 2021-30, amending the Jersey Village Code of Ordinances at Chapter 2, Article IV, Division 2, Section 2-142 to provide for revisions to the schedule of fees related to permits and other miscellaneous services. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2021-30

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

10. Consider Ordinance 2021-31, amending the Golf Course Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 by transferring from line item 11-82-3001 (salaries) to line item 11-82-5515 (consultant services) with an amount not to exceed \$6,400 and authorizing the City Manager to execute all documents with David Banks for Golf Course Personal Services.

Austin Bleess, City Manager, submitted this item. Background information is as follows:

To provide for personal services and to provide for an appointment of an Interim Assistant Golf Course Superintendent in the absence of the Assistant Golf Course Superintendent. The current Assistant Golf Course Superintendent is out on an extended leave (pending approval until all requested documentation has been received from the employee and reviewed). The position is one of one, without a backup. Due to business demands within in the golf course and the presence of other major projects staff labor is divided; therefore, in order to meet business demands and counterbalance for time designated to other major projects a contractor is needed. Personal Services will be funded with unused funds from current position vacancies within the division, with a net impact of \$0.

ORDINANCE NO. 2021-31

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GOLF COURSE FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 BY TRANSFERRING FROM LINE ITEM 11-82-3001 (SALARIES) TO LINE ITEM 11-82-5515 (CONSULTANT SERVICES) WITH AN AMOUNT NOT TO EXCEED \$6,400 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH DAVID BANKS FOR GOLF COURSE PERSONAL SERVICES.

Item 9 was removed from the consent agenda. The discussions and votes for each removed item can be found under the appropriate Consent Agenda item. The vote for the remaining items NOT removed from the Consent Agenda is as follows:

Council Member Wubbenhorst moved to approve items 1 through 8 and item 10 on the consent agenda. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

K. REGULAR SESSION

1. Consider Resolution No. 2021-52, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include "massage establishment" as a specific use regulation in District F; and to amend Section 14-5 by adding definitions for "massage establishment" and "massage therapy."

Rick Faircloth, Chairman, Planning and Zoning Commission presented the item. Background information is as follows:

The Planning and Zoning Commission met on April 28, June 2, 2021, and June 14, 2021 to discuss and take appropriate action on the application of Phillip Carameros filed on behalf of Gordon NW Village LP to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include "massage establishment" as a specific use regulation in District F

The Commission recommended in its preliminary report, which was submitted to Council at its June 21, 2021 meeting, that amendments be made to Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include "massage establishment" as a specific use regulation in District F; and that Section 14-5 be amended by adding definitions for "massage establishment" and "massage therapy." Additionally, the Commission requested that a Joint Public Hearing be ordered for July 19, 2021.

On July 19, 2021, the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

He reported that one change was made to the Proposed Ordinance concerning the definition for massage therapy. He stated that the last sentence of this definition should read

"Where massage therapy is **permitted under Chapter 455**, it shall in no way permit the advertisement for, provision, support, or allowance of any activity that is contemplated under Chapter 18, Article II of this Code."

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2021-52, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include "massage establishment" as a specific use regulation in District F; and to amend Section 14-5 by adding definitions for "massage establishment" and "massage therapy." Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT CONCERNING THE PROPOSAL TO AMEND THE JERSEY VILLAGE CODE OF ORDINANCES AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A NEW SUBSECTION (E) TO INCLUDE "MASSAGE ESTABLISHMENT" AS A SPECIFIC USE REGULATION IN DISTRICT F; AND TO AMEND SECTION 14-5 BY ADDING DEFINITIONS FOR "MASSAGE ESTABLISHMENT" AND "MASSAGE THERAPY."

2. Consider Ordinance No. 2021-32, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, Article I, Section 14-5 by adding definitions for "massage establishment" and "massage therapy"; amending Chapter 14, Article IV, Section 14-105(a)(21) by adding a new subsection (e) to include "massage establishment" as a use allowed in zoning District F through a specific use permit; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the code; and, providing an effective date.

Harry Ward, Director of Public Works, introduced the item. Background information is as follows:

The Planning and Zoning Commission met on April 28, 2021, June 2, 2021 and June 14, 2021 to discuss and take appropriate action regarding the proposal to amend the Code of Ordinances of the City of Jersey Village at Chapter 14, Article I, Section 14-5 by adding definitions for "massage establishment" and "massage therapy" and amending Chapter 14, Article IV, Section 14-105(a)(21) by adding a new subsection (e) to include "massage establishment" as a use allowed in zoning District F through a specific use permit.

The Planning and Zoning Commission submitted its preliminary report to Council on March 15, 2021, and a Joint Public Hearing was ordered for June 21, 2021.

On July 19, 2021 the City Council and the Planning and Zoning Commission conducted a joint public hearing and the Planning and Zoning Commission made its final report and recommendations.

All of the procedural requirements of Section 14-84(c)(2) items a through c have been met. This item is to approve the ordinance that will enact the final recommendation from the Planning and Zoning Commission to amend Chapter 14, Article I, Section 14-5 by adding definitions for "massage establishment" and "massage therapy"; and to amend Chapter 14, Article IV, Section 14-105(a)(21) by adding a new subsection (e) to include "massage establishment" as a use allowed in zoning District F through a specific use permit.

Council engaged in discussion. Council Member Wasson, the Planning and Zoning Commission Liaison, explained that the Planning and Zoning Commission conducted several meetings on this request in order to specifically define what would be permitted concerning massage establishments.

Some members were concerned about the need for a specific use permit and the suggested change by the Planning and Zoning Commission. City Attorney Pruitt explained the change and its meaning.

Discussion was had concerning the changes made to the definition of "massage therapy" by the Commission in its final report. After these discussions, the last sentence of this definition was changed to read as follows in Ordinance 2021-32:

"Where massage therapy is permitted under this Code and under Chapter 455 of the Texas Occupational Code, it shall in no way permit the advertisement for, provision, support, or allowance of any activity that is contemplated under Chapter 18, Article II of this Code."

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2021-32, as amended, which amends Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14, Article I, Section 14-5 by adding definitions for "massage establishment" and "massage therapy"; amending Chapter 14, Article IV, Section 14-105(a)(21) by adding a new subsection (e) to include "massage establishment" as a use allowed in zoning District F through a specific use permit; providing a severability clause; providing for repeal; providing a penalty as provided by

Section 1-8 of the code; and, providing an effective date. Council Member Mitcham seconded the motion. The vote follows:

ORDINANCE NO. 2021-32

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14, ARTICLE I, SECTION 14-5 BY ADDING DEFINITIONS FOR "MASSAGE ESTABLISHMENT" AND "MASSAGE THERAPY"; AMENDING CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A NEW SUBSECTION (e) TO INCLUDE "MASSAGE ESTABLISHMENT" AS A USE ALLOWED IN ZONING DISTRICT F THROUGH A SPECIFIC USE PERMIT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND, PROVIDING AN EFFECTIVE DATE.

L. 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 salutary 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 salutary 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.

<u>Council Member Wubbenhorst</u>: Council Member Wubbenhorst stated that the pandemic is still on going and he encourages all to be vaccinated. He stated that there is much misinformation about these vaccines being unsafe. This is not so. Please get vaccinated.

<u>Council Member Singleton</u>: Council Member Singleton thanked all for their work with the July 4 event. He thanks James MacDonald for his work concerning the new appreciation committee.

<u>Council Member Wasson</u>: Council Member Wasson thanked all for their work on the July 4th event. He told everyone that it is Parks and Recreation month. He encouraged all to keep eyes on the gulf as it is the time of year for hurricanes.

<u>Council Member Sheppard</u>: Council Member Sheppard went to the JVSO annual dinner last week. She stated that it is great to see residents coming together to socialize. This group has over 100 members. It is a good group with great service to the City.

<u>Council Member Mitcham</u>: Council Member Mitcham thanked all for their work on the July 4th parade. It was an awesome event. The Lazy Day Walk event was also a great event. She gave a shout out to Josh Rodrigue for all that he does. She thanked the Mayor for hosting the town hall meeting as it gave much needed information. She stated that she has received many emails concerning the budget and she appreciates this input.

<u>Mayor Warren</u>: Mayor Warren also enjoyed the July 4th parade. It was a great event. Jersey Village is an amazing place to live. He attended the JVSO annual dinner. It was a great event and good to hear all that this group is doing for Jersey Village. He encouraged all to bring forth ideas on how to improve our community.

Upon completion of Agenda Items A through L, City Council took a short recess in order to reconvene the remaining agenda item M. Work Session Agenda, including Budget Items in the City of Jersey Village Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas.

Mayor Warren called a short recess at 7:41 p.m. The meeting resumed in the Civic Center Meeting Room at 7:56 p.m.

M. WORK SESSION AGENDA

1. Review and discuss the proposed fiscal year 2021-2022 municipal budget.

Austin Bleess, City Manager, introduced the 2021-2022 budget work session stating that this budget represents many hours of work by Staff in coming up with a reasonable budget that continues funding the priorities of the community.

He pointed out page 6, the ranking of the supplementals. He felt the best approach would be to review the budget fund by fund.

Council discussed the definition of supplementals. City Manager Bleess stated it is any changed valued of \$3,000 or more. Some are one-time expenses and some are recurring.

City Manager Bleess then moved on to explain the various expenses, Fund by Fund, Department by Department. Following are the various discussions had by the Council concerning these expenses.

Page 9 was reviewed. It was mentioned that in order to fund the proposed budget the current property tax rate would need to bring in a total of \$7.3M. Setting the de minimis tax rate would fund the proposed budget. \$6.65M is what would be generated if the current tax rate is kept, and \$6.8M would be generated at the historical rate of \$.7425 rate.

There was discussion about the difference between the rates. Various tax rates were discussed to accommodate the 2021-2022 budget and needs of the City.

The estimates that were used to create this budget are based upon the Harris County Appraisal District (HCAD) April estimates. We hope to get the certified estimates by July 30 and the certified values in late August.

The various rates were discussed as well as the recent increases in the tax exemptions. Tax appraisals are done by the HCAD. Council discussed the other revenues listed in the budget. Also the City's Chapter 380 Agreements were discussed as they affect the budget.

Council felt that the supplemental listing should be discussed in order to get an idea of City needs.

The new administrative rules by the State Comptroller concerning internet purchases were discussed. The allocation of sales taxes is changing to where the purchases are delivered. It does not affect the Chapter 380 Agreements.

Fines and Warrant revenues were discussed. These revenues are increasing given the COVID pandemic is improving. Ambulance Fees were discussed. Some members wanted to know if these fees were affected by COVID. Chief Bitz stated that these fees are affected more by Medicare rules and regulations.

Park rental revenues were discussed. These revenues are based upon trends. We have had an uptick in City rentals.

The CCPD Fund revenue was discussed. Finance Director Kato explained the transfer process involved between the City and the District.

Miscellaneous Revenues were reviewed. City Manager Bleess explained how the revenues from the sale of vehicles will be processed.

After reviewing the revenues, \$7.1M was discussed as the amount needed to fund the proposed budget.

In completing the review of revenues, City Council proceeded to a review of the expenses. What follows are the discussions of Council had on these items.

Department 11 - Administration

Council reviewed these expenses. The election expense will be discussed later in this meeting during the CIP discussions. The JV Star mailings were discussed. Currently we use the utility billing mailing lists for residents. Some members wanted to move to electronic delivery. This type of process was discussed.

Department 12 – Legal and Other Services

Legal fees were discussed. The TIRZ3 line item was discussed. The process of revenues and expenses for TIRZ3 was discussed. The Golf Course transfer was discussed.

Department 13 – Information Technology

There was discussion on this item concerning subscriptions and maintenance costs. The INCODE Cloud Storage item was discussed. This would be an item that could be delayed given that data is currently stored internally. The increase in consulting services was discussed. City Manager Bleess explained that this increase is to out-source work desk issues.

The capital reserve line item increase of \$25,000 was discussed.

Department 14 - Purchasing

No discussion on this item.

Department 15 – Accounting Services

No discussion on this item.

Department 16 – Customer Service

No discussion on this item.

Department 19 – Municipal Court

No discussion on this item.

Department 21 – Police

City Manager Bleess explained the wage increase practices for the City. The last time that police wages were increased was two years ago. The majority of the increases in this Department are attributed to increases in salaries and benefits for police staff. There was limited discussion on this item.

Department 23 – Communications

City Manager Bleess explained the wage increase practices for the City. The majority of the increases in this Department are attributed to increases in salaries and benefits. There was limited discussion on this item concerning these increases.

Department 25 – Fire Department

City Manager Bleess stated that the budget provides for adjustments to wages to provide for payment of part time work due to the lack of volunteers. There was discussion about these increases as well as the training for paramedics.

Department 30 – Public Works

The increases for this department were discussed. The association fee for the Public Works Building was discussed. This is a new fee that was agreed upon during the purchase of the building and is therefore a contractual obligation.

<u>Department 31 – Community Development</u>

There was discussion on this item concerning the increases in salaries and benefits. City Manager Bleess explained that the amounts were adjusted given that two positions are currently vacant and it is expected that these positions will be filled in the coming budget year.

Department 32 – Streets

The decrease in salaries and benefits were discussed. City Manager Bleess explained that a long-time employee has retired. The replacement came in at less money and therefore less for benefits. The lighting line item for electricity was discussed. There was no further discussion on this Department.

Department 33 – Building Maintenance

Category 40 was discussed. There is problem with the maintenance building on Seattle Street. Staff only goes to this building about three (3) hours a day. Public Works Director stated that Brown & Root has been contacted to remedy the maintenance problem.

<u>Department 35 – Solid Waste</u>

The solid waste contract was discussed. Complaints about the services were discussed.

<u>Department 36 – Fleet Services</u>

There was discussion on this item concerning the software to monitor vehicle repairs and maintenance.

Department 38 – Recreation

Category 30 was discussed. Discussion was had to add a part-time employee to support additional events in the coming budget year. In connection with this type of request, there was concern about the pool being managed appropriately. Director Basford gave information concerning such an increase, explaining that the need is seasonal. Nonetheless he mentioned that it may be difficult to find someone to fill such a seasonal position. I9 events were discussed. City Manager Bleess stated that he has had discussions with the Parks Director to add such a position in budget year 2022-2023. The Recreation and Events Board was discussed. Some wondered if having these volunteers assist the Department with events might be a solution to manpower issues. Others felt that these volunteers would not necessarily be beneficial. Adding this additional position to the budget was discussed in detail. It was the consensus to revisit this addition at a later date. There was also a

proposal that a line item should be added for fireworks during the July 4th event. Director Basford stated that there is a savings to put a show on during an off season day such as during Founder's Day. It was agreed not to add for the 4th of July.

Department 39 – Parks

The various positions in the Parks Department were discussed. Additionally the project increases were discussed.

That completes discussion for the general fund budget which totals \$17,142,295.31. This is a 0.8% increase in this fund.

N. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:12 p.m.



Lorri	Coody.	City Secretary	