

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON NOVEMBER 21, 2022, 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 7:06 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, Michelle Mitcham	
Council Member, James Singleton	
Council Member, Jennifer McCrea	

Council Member McCrea and Council Member Singleton participated in the meeting via video conference call.

The following Planning and Zoning Commission Members were present:

Rick Faircloth, Chairman	Eric Henao, Vice Chairman	Debra Mergel, Commissioner
	David L. Lock, Commissioner	

Commissioners Courtney Standlee, Ashley Brown, and Charles F. Butler, III were not present at this meeting.

Staff in attendance: Robert Basford, Assistant City Manager; Mark Bitz, Fire Chief; Kirk Riggs, Chief of Police; Isabel Kato, Finance Director; Abram Syphrett, Director of Innovation and Technology; and Maria Thorne, Administrative Assistant.

B. INVOCATION, PLEDGE OF ALLEGIANCE

- 1. Prayer and Pledge by:** Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324

C. PRESENTATIONS

- 1. Presentation of Police Department Employee of the third Quarter 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 Third Quarter award to Corporal Thomas Broadus.

- 2. Presentation of Police Commendation Awards.**

Kirk Riggs, Chief of Police recognized the following Officers for Commendation:

- Lieutenant Heath Hawley
- Lieutenant Danny Keele
- Sargent Daniel Rodriguez
- Corporal Eric Aldava
- Corporal Arron Polster
- Officer Dustin Hill

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3. Presentation of Employee of the Month - Isaac Recinos.

Austin Bless, City Manager, presented the employee of the Month of November to Isaac Recinos.

D. JOINT PUBLIC HEARING

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 the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

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 7:21 p.m., for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses. Mayor Warren called for public comments.

With no one else signing up to speak at the hearing, Mayor Warren and Chairman Faircloth closed the joint public hearing at 7:22 p.m. and the Planning and Zoning Commission retired from the City Council meeting at 7:22 p.m. to conduct its posted meeting agenda and prepare a final report in connection with this joint public hearing.

E. 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.

Jo Hewett, 15917 Lakeview Drive, Jersey Village, Texas (713) 806-8453. Ms. Hewett spoke to City Council concerning the Jersey Village Senior Outreach (JVSO), a program serving seniors. She gave background information about a presentation on emergency services that JVSO gave to the Village National Network. She also gave an update on the organization with some 200 members and some 70 volunteers. They offer many services to seniors in Jersey Village with a focus on helping seniors remain in their homes. She also gave information about their emergency services and communication system used during emergency situations.

Mark Zehler, 16022 Singapore Lane, Jersey Village, Texas (713) 896-1210 – Mr. Zehler spoke to City Council about the golf course clubhouse. He believes that there is a demand for this facility by the community. In terms of the proposal to build a stadium in our City, he is concerned about this proposal. He is concerned about the finances and is concerned that it may affect our

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financial status. He wants City Council to make sure that the residents want this stadium and if there is a market demand for a stadium.

In response to his comments, Mayor Warren stated that there will be Town Hall Meetings dedicated to answer questions on December 5 and January 12.

Bruce Bowden, 16325 Lewis Street, Jersey Village, Texas (713) 410-9766 – Mr. Bowden spoke to City Council about the Golf Course and how it does not currently support itself financially. He does not support the investment in a new golf course clubhouse. He gave financial numbers that he believes supports his position. He does not want his taxes increased. He wants to see some kind of effort from the City by way of an explanation concerning the new Golf Course Clubhouse.

Mayor Warren, in response, gave information about the financial information of the course, which currently shows a surplus of some \$255,000.

Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 206-1184 – Mr. Fields spoke to City Council asking that current projects planned for by the City be stopped. He wants a moratorium on raising taxes for one year. He is concerned about the monies being spent by this Council. He wants residents to be able to vote on any debt that the Council is considering. He does not support the stadium and he is concerned about the developers the Council is working with on this project.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to City Council about the City's water and wastewater impact fee. He stated that resident water bills are too high. He had questions about the impact fee. He had questions about the impact fee eligible projects and he is concerned about the cost of these projects and who will pay for them. He wants the City Council to ask the residents via an election if they want to build a new City Hall and a Golf Course Clubhouse. He also had questions about the TIRZ 3 property sales.

Mayor Warren explained the impact fee study process that is done every five years. These fees are connected to expanding the City's water and wastewater system.

Kimberly Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 689-9878 – Ms. Henao gave city historical information from 1985. Some of the items included the election of Carl Norman as Mayor, various installations of stop signs throughout the City, a City's Street Master Plan review by the Planning and Zoning Commission and the donation of land by Mr. and Mrs. Rodney Newton for Welwyn Park.

F. CITY MANAGER'S REPORT

City Manager Bless gave the following monthly report. There were a few questions about the concerns for water bill rates. City Manager Bless stated that the meters are read on the 25th of each month and believes that these problem bills reflected water usage during the drought.

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1. **Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – September 2022, General Fund Budget Projections as of October 2022, and Utility Fund Budget Projections – October 2022**
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, and Parks and Recreation Departmental Report**
7. **Code Enforcement Report**

G. 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 4 was pulled from the Consent Agenda for further discussion. Accordingly, Item 7 contains discussion information as well as Council’s vote. The vote on Items 1 through 6 and 8 and 9 are found at the end of the Consent Agenda.

1. **Consider approval of the Minutes for the Regular Session Meeting held on October 17, 2022 and the Special Session Meeting held on October 27, 2022.**
2. **Consider Resolution No. 2022-67, receiving the Capital Improvements Advisory Committee’s November 2022 Semiannual Progress Report.**

BACKGROUND INFORMATION:

November 9, 2022, to discuss the growth rate, capital improvement projects completed, and impact fees collected and to review the capital improvements projects identified in the Capital Improvements Plan in order to compile their November Semiannual Report covering the last six (6) months of fiscal year 2021-2022.

This item is to receive the November 2022 Semiannual Progress Report prepared at the November 9, 2022, CIAC Meeting.

RESOLUTION NO. 2022-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE’S NOVEMBER 2022 SEMIANNUAL PROGRESS REPORT.

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- 3. Consider Ordinance No. 2022-41, amending Chapter 14 “Building and Development,” Article IX “Storm Drainage and Flood Damage Prevention,” by modifying Section 14-225(k)(1); providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

BACKGROUND INFORMATION:

As part of the Community Rating System annual review FEMA looked at our flood plain ordinances. They are requesting that we modify our ordinance on development in the floodway to match what is the Code of Federal Regulations Flood Insurance Criteria for Land Management and Use 44 CFR § 60.3(d)(3). This change will keep us compliant with the requirements for us to continue in the CRS Program and the National Flood Insurance Program (NFIP).

ORDINANCE NO. 2022-41

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT,” ARTICLE IX “STORM DRAINAGE AND FLOOD DAMAGE PREVENTION,” BY MODIFYING SECTION 14-225(K)(1); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 4. Consider Resolution No. 2022-68, authorizing applications for the FEMA FY22 FMA Grant to Elevate Homes.**

BACKGROUND INFORMATION:

Staff is recommending the City Council authorize two grant applications for home elevations for the FY2022 FEMA FMA Grants.

Since 2017 there have been about 165 homes that have been identified for potential elevation. These homes are ones that have flooded multiple times and ones that are most susceptible to future flood events even after other flood mitigation projects, such as the expansion of the E100 branch of the bayou, the berm around the golf course, and street drainage improvement projects are completed. The list was created using data from FEMA and the Long-Term Flood Recovery Plan.

Since that time 37 of the homes have been awarded grant funding for home elevations, 5 have been or are being mitigated as part of TIRZ 3, 2 others were purchased by FEMA through HCFCD, and 3 others were mitigated by the individual property owners. That leaves 120 homes that remain as good candidates to be mitigated as of today.

By my count, based upon conversations with homeowners, or the lack of correspondence from homeowners when I’ve reached out to them by phone, email, and letters we have nearly 80 homeowners that are not interested in home elevations. Tonight, I am recommending two grant applications that would elevate 30 homes.

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A preliminary benefit cost analysis was done for all those homes. A benefit cost analysis is a process used to measure the benefits of a home elevation (i.e. savings to the flood insurance program) minus the costs associated with doing the elevation. A BCA involves measurable financial metrics such as costs saved as a result of the decision to pursue a project.

The result of a BCA is a Benefit-Cost Ratio (BCR). A project is considered cost-effective when the BCR is 1.0 or greater. A BCR has a value of 1.0 when the costs and benefits equal. If the value is greater than 1 the benefits are greater than the costs. If it's less than 1 then the costs of the project are more than the benefits of it.

With any application the city submits the maximum number of houses we can apply for and reasonably expect to be funded is about 20 homes. This year due to more money than ever before being allocated for home elevations we have an opportunity to apply for more homes than anticipated in previous years.

The BCA information from each home was used to put all the homes into groups so that each group would be over a 1.0. That came out to 7 different groups of homes. The homes that have a BCA of less than 1 need to be mixed into a group that has homes of a BCA higher than 1 so that all the homes combined have a BCA or higher than 1.

FEMA does have a "Benefit Cost Ratio – Standard + Additional" category. The additional includes things like social benefits, the number of volunteers that are required to help muck out houses after flooding, and how many people in the homework outside the home. The additional only comes in to play if the standard BCR is over 0.75. In our initial analysis we only look at the standard amounts. When those additional benefits are added in for homes, we can usually achieve a BCR of around 1.2 or 1.3.

For this round of funding FEMA is allowing a 3% Discount Rate, instead of the typical 7% Discount Rate, for projects that will protect against the impacts of future climate change. As heavy rainfall events are often cited as one of the impacts of climate change we are using the 3% Discount Rate which will give us a better BCA score.

Here are the general timelines that have occurred in the past. This does not mean the timelines are the same for future years but is meant to give an estimate of how long it takes.

The City will submit the application to the state in November and the state will submit the application to FEMA in late January.

FEMA should identify applications for further review in Summer 2022. (This is the first step in the approval process.)

It could take anywhere from 10-20 months for final approval to be given. That means the award would not be final until March – December 2022. This is 16 – 26 months after the city submits the initial application to the state.

Once the award is final it will take about 4 months for homeowners to select contractors (the city pre-qualifies contractors, and homeowners select one of the pre-qualified ones by the City), for contractors to come up with specifications for the exact work to be done.

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Once that is done it takes about 4 months to get the funding for the first half of the homes to be elevated. It takes roughly 3 months for a home to be elevated.

Once 70% of the funds have been spent on elevating the first round of homes, the city requests funding for the second round of homes. It takes about 4 months to get funding from the state. It takes roughly 3 months for a home to be elevated.

In total it can take between 33 months to 43 months from application to project completion.

Because the grant relies heavily on information from FEMA about flood history of properties, and FEMA requires that information to stay private, the city does not disclose publicly the addresses of the homes that are going to be applied for. All of the homeowners who are in this grant application are aware that their home has been selected for this.

Homes included in proposed Grant #1 are on the following streets:

Zilonis Court	Equador Street	Jersey Drive
Capri Dr	Philippine Street	Crawford Street
De Lozier Street	Hamilton Circle	Lakeview Drive
Wall Street		

The proposed grant has 5 homes that are designated as a Severe Repetitive Loss (meaning it has 4 or more losses, or at least 2 losses of more than 50% of the home value at the time of the loss), and 8 homes that are Repetitive Loss (meaning it has 2 or more losses), and 2 are insured. FEMA will pay 100% of the costs for a Severe Repetitive Loss home, 90% of the costs for a Repetitive Loss home and 75% of the costs for an insured home.

The Application #1 proposed tonight has 15 homes to be elevated. The project has a BCA of 1.52. The total project cost is expected to be \$5,226,911, with the federal cost share being \$4,752,272 and the city cost share of \$474,639.

Homes included in proposed Grant 2 are on the following streets:

Acapulco Drive	Equador Street	Jersey Drive
Colwyn Lane	Philippine Street	Elwood Dr
N Tahoe	Hamilton Circle	Leeds Lane
Rauch Court	Hawaii Lane	

The proposed grant has 13 homes that are designated as a Severe Repetitive Loss (meaning it has 4 or more losses, or at least 2 losses of more than 50% of the home value at the time of the loss), and 2 homes that are Repetitive Loss (meaning it has 2 or more losses).

The Application #2 proposed tonight has 15 homes to be elevated. The project has a BCA of 1.3. The total project cost is expected to be \$5,073,639, with the federal cost share being \$4,917,639 and the city cost share of \$156,270.

RESOLUTION NO. 2022-68

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING APPLICATIONS FOR THE FEMA FY22 FMA GRANT TO ELEVATE HOMES.

5. Consider Resolution No. 2022-69, authorizing the City Manager to apply for a FEMA BRIC Grant for E127 Construction.

BACKGROUND INFORMATION:

Last fall the City signed a contract with Aguirre & Fields for engineering and design work for the E127 project. The E127 project is a joint project between the City and Harris County Flood Control District. It was included in the Flood Bond Program that passed a few years back.

Aguirre & Fields is getting close to being done with the Draft PER report, and it is anticipated that the final PER will be completed in early 2023. At that point they will work with us to get the necessary permits from the US Army Corps of Engineers (USACE) so the project could begin.

Right now, the estimated project cost for the whole thing is \$10,856,093. This includes money for right of way acquisition, replacing the railroad bridge that goes over the bayou, channel deepening and widening along with expanding the detention ponds that exist near the bayou. The project cost also includes a trail from Rio Grande to the other side of 290. There are no trails planned or contemplated for behind any homes as part of this project.

This project would positively impact about 950 homes and businesses in Jersey Village by lowering the water surface elevation during flood events. During a 100-year storm the water should be contained within the bayou and detention ponds.

This grant program has a 75/25 cost share. The City and HCFCD would split the cost share. The grant amount would be \$8,142,070 and the cost share would be \$1,357,012 each.

Previously the City has received a grant of \$600,000 for the engineering work. The total contract amount for that work is \$1,385,493. The remainder of that is split between the City and HCFCD.

If you combine both pieces of this project together the total cost would be \$12,241,586. The grant funded amount for both pieces, if the construction one is awarded, would be \$8,742,070, the HCFCD and City Cost shares would be \$1,749,758 each.

This year FEMA has announced record amounts of funding for flood mitigation projects. There is over \$2.1 Billion for Building Resilient Infrastructure and Communities (BRIC) grants this year.

Based upon guidance from the state, I've drafted this grant application which can also be submitted under another program called the Flood Mitigation Assistance (FMA) grant

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application as well. If both grants are funded, we can choose which program we want to utilize.

RESOLUTION NO. 2022-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING APPLICATIONS FOR THE FEMA FY22 FMA GRANT FOR THE E127 CONSTRUCTION PROJECT.

6. Consider Resolution No. 2022-70, authorizing the City Manager to apply for a FEMA FMA Grant for E127 Construction.

BACKGROUND INFORMATION:

Last fall the City signed a contract with Aguirre & Fields for engineering and design work for the E127 project. The E127 project is a joint project between the City and Harris County Flood Control District. It was included in the Flood Bond Program that passed a few years back.

Aguirre & Fields is getting close to being done with the Draft PER report, and it is anticipated that the final PER will be completed in early 2023. At that point they will work with us to get the necessary permits from the US Army Corps of Engineers (USACE) so the project could begin.

Right now the estimated project cost for the whole thing is \$10,856,093. This includes money for right of way acquisition, replacing the rail road bridge that goes over the bayou, channel deepening and widening along with expanding the detention ponds that exist near the bayou. The project cost also includes a trail from Rio Grande to the other side of 290. There are no trails planned or contemplated for behind any homes as part of this project.

This project would positively impact about 950 homes and businesses in Jersey Village by lowering the water surface elevation during flood events. During a 100 year, storm the water should be contained within the bayou and detention ponds.

This grant program has a 75/25 cost share. The City and HCFCD would split the cost share. The grant amount would be \$8,142,070 and the cost share would be \$1,357,012 each.

Previously the City has received a grant of \$600,000 for the engineering work. The total contract amount for that work is \$1,385,493. The remainder of that is split between the City and HCFCD.

If you combine both pieces of this project together the total cost would be \$12,241,586. The grant funded amount for both pieces, if the construction one is awarded, would be \$8,742,070, the HCFCD and City Cost shares would be \$1,749,758 each.

This year FEMA has announced record amounts of funding for flood mitigation projects. There is over \$800,000,000 for Flood Mitigation Assistance grants this year. The FMA

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Grants are also what we use for Home Elevations. But given the large amount of funding available I believe we have an opportunity to receive funding for this construction project as well.

Based upon guidance from the state, I've drafted this grant application which can also be submitted under another program called the Building Resilient Infrastructure and Communities (BRIC) grant application as well. If both grants are funded, we can choose which program we want to utilize.

RESOLUTION NO. 2022-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING APPLICATIONS FOR THE FEMA FY22 FMA GRANT FOR THE E127 CONSTRUCTION PROJECT.

- 7. Consider Ordinance No. 2022-42, amending the Utility Fund Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount not to exceed \$102,500.00 by increasing line item 02-46-7131 from the Utility Fund Balance to cover the cost of the Hwy 290 Lift Station Road Rehabilitation Project; awarding the bid and authorizing the City Manager to enter into a contract with Q Recycling & Construction Services, Inc. for the Hwy 290 Lift Station Road Rehabilitation Project.**

Robert Basford, Assistant City Manager introduced the item. Background information is as follows: On November 8, 2022, City staff received bid documents for the rehabilitation of the 290-lift station access road located at 17006 Northwest Freeway. Four responsive bids were received for the project.

Bidder	Base Bid
Q Recycling & Construction Services, Inc.	\$229,005.16
Principal Plant Services, Ltd	\$256,670.58
Forde Construction Company, Inc.	\$291,586.00
Conrad Construction Co., LTD	\$305,415.51

The scope of work, at minimum, will include the following activities:

- Mobilize for construction and general items including implementation of SWPPP structures, earthwork and tree/shrub removal
- TrueGrid paving and stabilized subgrade
- Remove and dispose of storm sewers
- 18 and 24 inch storm sewer, connect to existing storm manhole
- Concrete slope protection

The City and consulting Engineering Firm, Garza EMC, worked together to ensure bidding was conducted in compliance with all applicable federal, state and local standards.

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The cost to rehabilitate the 290 Lift Station access road will be paid through Utility CIP funding factored into the 2022-2023 budget. However, a budget amendment in the amount of \$102,500 is needed to cover the amount of the bid that is not covered in the 2022-2023 budgeted amount for this project.

Q Recycling & Construction Services, Inc. has performed similar storm sewer utilities and construction related services for various entities and has extensive experience in the construction service industry.

Q Recycling & Construction Services, Inc. submitted the lowest responsible bid for the project. Q Recycling & Construction Services, Inc. is a reputable company that comes with a recommendation from the consulting Engineering Firm, Garza EMC.

Council engaged in discussion about this project. There were questions about the estimates for this project that were answered by City Manager Bless. Mayor Warren made it clear that this item is to repair the road that goes to the lift station, and nothing more.

With no further discussion on the matter, Council Member Wasson moved to approve Ordinance No. 2022-42, amending the Utility Fund Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount not to exceed \$102,500.00 by increasing line item 02-46-7131 from the Utility Fund Balance to cover the cost of the Hwy 290 Lift Station Road Rehabilitation Project; awarding the bid and authorizing the City Manager to enter into a contract with Q Recycling & Construction Services, Inc. for the Hwy 290 Lift Station Road Rehabilitation Project. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2022-42

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 IN THE AMOUNT NOT TO EXCEED \$102,500.00 BY INCREASING LINE ITEM 02-46-7131 FROM THE UTILITY FUND BALANCE TO COVER THE COST OF THE HWY 290 LIFT STATION ROAD REHABILITATION PROJECT; AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH Q RECYCLING & CONSTRUCTION SERVICES, INC. FOR THE HWY 290 LIFT STATION ROAD REHABILITATION PROJECT.

- 8. Consider Ordinance No. 2022-43, approving the request of the Board of Directors of the Fire Control, Prevention, and Emergency Medical Services District to amend the**

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2022-2023 Fire Control, Prevention, and Emergency Medical Services District's Budget in the amount of \$37,648; authorizing the funding associated with the Fire Department Roof Replacement Project from the Fire Control, Prevention, and Emergency Medical Services District Fund; amending the annual budget of the City of Jersey Village, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023 to reflect these changes; authorizing the city manager to execute all documents with Greater Houston Roofing for construction services connected with the Fire Department Roof Replacement Project; and providing for severability.

BACKGROUND INFORMATION:

The roof at the fire department needs to be replaced this year. We have received a quote and contract from Greater Houston Roofing in the amount of \$212,648 to replace the roof with a 5-to-6-week completion time. We initially budgeted \$175,000 for this project. The FCPMSD has authorized the additional funding of \$37,648 to be added to the Capital Improvement. The contract funding requires the following:

60% OF CONTRACT PRICE INVOICED AT P.O. SIGNING
30% INVOICED AT 50% COMPLETION
10% INVOICED AT 100% COMPLETION

Greater Houston Roofing is under the TIPS Cooperative agreement. The Contract # is included in the project quote.

ORDINANCE NO. 2022-43

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE REQUEST OF THE BOARD OF DIRECTORS OF THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT TO AMEND THE 2022-2023 FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT'S BUDGET IN THE AMOUNT OF \$37,648; AUTHORIZING THE FUNDING ASSOCIATED WITH THE FIRE DEPARTMENT ROOF REPLACEMENT PROJECT FROM THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT FUND; AMENDING THE ANNUAL BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023 TO REFLECT THESE CHANGES; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH GREATER HOUSTON ROOFING FOR CONSTRUCTION SERVICES CONNECTED WITH THE FIRE DEPARTMENT ROOF REPLACEMENT PROJECT; AND PROVIDING FOR SEVERABILITY.

- 9. Receive update and provide feedback on the golf course clubhouse renderings and project.**

BACKGROUND INFORMATION:

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On January 7, 2022, during a city council workshop meeting the council reviewed the history of the Golf Course Clubhouse project and discussed the options available regarding the future of the Jersey Meadow Clubhouse. The options outlined included renovating the existing facility, using the existing new design from PGAL Inc., designing a more cost-efficient clubhouse and event space, and designing a new clubhouse while gutting and remodeling the existing facility to use as an event space. City council agreed that the best option moving forward would be to design a new clubhouse containing a pro shop, offices, bar & grill, bathrooms, and storage while also designing the remodel of the existing clubhouse into an enclosed pavilion for events and directed staff to prepare a request for proposal for the design of a new clubhouse facility.

During the February Council meeting the City Council authorized the City Manager to begin negotiating a contract with FGM Architects for the design of a new club house. The proposed contract utilized a Construction Manager At Risk (CMAR) format.

During the June Council meeting, the City Council authorized the City Manager to begin negotiating an agreement with Brookstone Construction for Construction Manager At Risk of the new Jersey Meadow Golf Course Club House.

Staff held the schematic design work sessions during the months of April, May, and June where they used existing stakeholder input from the previous PGAL design, lessons learned, additional staff input with recommendations from FGMA to refine the schematic design towards an initial draft for presentation to council.

Brookstone was introduced to the design team at the end of June, and they were provided with the schematic design draft so that they could begin formulating the initial budget estimate. During the month of July, the budget estimate was presented to the design team. This estimate came in over our budget, so the design team began to brainstorm alternative solutions. These alternative solutions were presented to the design team in August.

During the September 12, 2022, council Meeting council reviewed the alternative solutions and advised staff to move forward with the exhibit that included the new clubhouse, renovation to the existing building, an updated budget along with the requirement to add sprinklers to the design for fire safety.

Staff has held a few additional meetings to finalize the schematic design along with updated estimates that included the fire suppression system, and those renderings are attached via EX A.

The only additional update, as of now, is that existing sanitary line is outdated, and produces minimal fall which makes it not suitable for the new facility. Staff is working with the design team as well as the civil engineers to determine the most feasible solution. The line will either need to be expanded to accommodate the new facility, or a lift station may be needed. The budget impact for the sanitary line improvements was estimated at \$150,000-\$200,000 putting our cost at 8.35 million

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and the estimated impact of a lift station is \$400,000-\$500,000 putting our cost at 8.65 million.

Staff will conduct interior and exterior design meetings over the next few months as the design team finalizes the documents for Brookstone. Brookstone still anticipates a GMP delivery at the February council meeting.

Item 7 was removed from the consent agenda. The discussion and vote for the removed item can be found under the appropriate Consent Agenda item. The vote for the remaining items NOT removed from the Consent Agenda is as follows:

Council Member Wasson moved to approve items 1 through 6 and 8 and 9 on the Consent Agenda. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

H. REGULAR AGENDA

- 1. Consider Ordinance No. 2022-44, amending the General Fund Budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, in the amount not to exceed \$430,725 to amend various line items from the General Fund Balance all these amendments are in order to provide for the over budget 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. 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 the closing of fiscal year 2021-2022.

Council engaged in discussion that this item, agreeing that it is basically a house keeping item to clean up the items and get ready for the upcoming audit.

With no further discussion on the item, Council Member Mitcham moved to approve Ordinance No. 2022-44, amending the General Fund Budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, in the amount not to exceed \$430,725 to amend various line items from the General Fund Balance all these amendments are in order to provide for the over budget line items. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2022-44

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 IN THE AMOUNT NOT TO EXCEED \$430,725.00 TO ADJUST VARIOUS LINE ITEMS IN THE GENERAL FUND.

- 2. Consider Ordinance No. 2022-45, amending the General Fund, Utility and Capital Improvement Fund Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount not to exceed \$650,000 to adjust line items in the General Fund 01-10-9601 Interest by \$463,000, 01-12-9760 transfer to Capital Improvement Fund by \$500,000, in the Utility Fund 02-40-9601 Interest by \$70,000, and in the Capital Improvement Fund 10-90-9751 transfer from the General Fund by \$500,000 and 10-91-7056 Carol Fox Park Sandbox Renovation by \$150,000.**

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

After receiving the interest revenue funds that the City collected for the month of October 2022, and reviewing the budget line items for such revenues, we realized that our projections for fiscal year 2022-2023 were substantially low for both the General and Utility Funds. Since our projection for the fund balance will increase, we are respectfully requesting that City Council approves a transfer from the General Fund to the Capital Improvement Fund in the amount of \$500,000 and in addition the appropriation of \$150,000 for the Carol Fox Park Sandbox Project.

Assistant City Manager Basford explained the scope of the Carol Fox Park Sandbox Project.

With limited discussion on the item Council Member Mitcham moved to approve Ordinance No. 2022-45, amending the General Fund, Utility and Capital Improvement Fund Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 in the amount not to exceed \$650,000 to adjust line items in the General Fund 01-10-9601 Interest by \$463,000, 01-12-9760 transfer to Capital Improvement Fund by \$500,000, in the Utility Fund 02-40-9601 Interest by \$70,000, and in the Capital Improvement Fund 10-90-9751 transfer from the General Fund by \$500,000 and 10-91-7056 Carol Fox Park Sandbox Renovation by \$150,000. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

ORDINANCE NO. 2022-45

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND, UTILITY AND CAPITAL IMPROVEMENT FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 IN THE AMOUNT NOT TO EXCEED \$650,000 TO ADJUST LINE ITEMS IN THE GENERAL FUND 01-10-9601 – INTEREST BY \$463,000, 01-12-9760 TRANSFER TO CAPITAL IMPROVEMENT FUND BY \$500,000, IN THE UTILITY FUND 02-40-9601 INTEREST BY \$70,000, AND IN THE CAPITAL IMPROVEMENT FUND 10-90-9751 TRANSFER FROM THE GENERAL FUND BY \$500,000 AND 10-91-7056 CAROL FOX PARK SANDBOX RENOVATION BY \$150,000.

- 3. Consider Resolution No. 2022-71, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.**

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

The Planning and Zoning Commission met on October 24, 2022, to discuss and take appropriate action regarding amendments to the Code of Ordinance at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

The Commission recommended in its preliminary report, which was submitted to Council at its October 27, 2022, meeting, that Council amend the Code of Ordinance at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses. Additionally, the Commission requested that a Joint Public Hearing be ordered for November 21, 2022.

On November 21, 2022, the City Council and the Planning and Zoning Commission conducted the joint public hearing and the Planning and Zoning Commission now makes its final report and recommendation.

With limited discussion on the item, Council Member Wasson moved to approve Resolution No. 2022-71, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

RESOLUTION NO. 2022-71

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 “BUILDING AND DEVELOPMENT”, ARTICLE I “GENERAL”, SECTION 14-5 “DEFINITIONS” BY AMENDING DEFINITIONS FOR CERTAIN USES.

- 4. Consider Ordinance No. 2022-46, amending Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the Code; and providing an effective date.**

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

The Planning and Zoning Commission met on October 24, 2022, to discuss and take appropriate action regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

The Planning and Zoning Commission submitted its preliminary report to Council on October 27, 2022, and a Joint Public Hearing was ordered for November 21, 2022.

On November 21, 2022, 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 regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

City Attorney Pruitt explained the need for these changes in order to make these definitions clearer.

With limited discussion on the matter, Council Member Mitcham moved to approve Ordinance No. 2022-46, amending Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses; 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 Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2022-46

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, ARTICLE I “GENERAL”, SECTION 14-5 “DEFINITIONS” BY AMENDING DEFINITIONS FOR CERTAIN USES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

I. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make 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.

Council Member Singleton: Council Member Singleton had no comments.

Council Member McCrea: Council Member McCrea wishes all a Happy Thanksgiving.

Council Member Wasson: Council Member Wasson wished all a Happy Thanksgiving. He congratulated staff on being named Best Places to Work. He also recognized all who were given awards during the meeting and he reminded everyone to remember the parade and holiday in the park events.

Council Member Sheppard: Council Member Sheppard thanked Chief Riggs for his leadership. She appreciates how he recognizes his staff. Happy Thanksgiving.

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Council Member Mitcham: Council Member Mitcham wished all a Happy Thanksgiving. She congratulated staff on receiving the Houston Chronical Best Places to Work Award and she encouraged applicants for the parade of lights event.

Mayor Warren: Mayor Warren congratulated all who were recognized tonight. He too congratulated staff on receiving the Houston Chronical Best Places to Work Award, pointing out that City Staff help make this City great. Our staff is dedicated and having a good place to work is important. He encouraged all to attend the Town Hall Meetings on the stadium that will be conducted December 5 and January 12. He wished all a very Happy Thanksgiving.

J. 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 551.087 Deliberation Regarding Economic Development Negotiations, Sections 551.072 – Deliberations about Real Property and 551.071 – Consultations with Attorney at 8:21 p.m.

K. EXECUTIVE SESSION

- 1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney a closed meeting to deliberate information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.**

L. ADJOURN EXECUTIVE SESSION

Mayor Warren adjourned the Executive Session at 9:20 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

M. RECONVENE REGULAR SESSION

- 1. Discuss and take appropriate action regarding items discussed in closed session regarding information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.**

City Manager Bless introduced the item, stating that this item was placed on the agenda to take any necessary actions discussed in the closed session.

City Council pointed out that the Letter of Intent (LOI) with KHGR is non-binding and moves the ball forward with something great for Jersey Village. Signing this agreement gives City Council the opportunity to speak about this project with the public during the upcoming Town Hall Meetings on December 5 and January 12. It is a great opportunity to make the information available in greater detail. City Council encourages residents to attend these Town Halls so that City Council can learn more about what the residents

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desire. Signing this LOI enables City Council to engage with the residents in a public setting. It is a positive opportunity for the City in order to speak with residents about what it is and what it isn't part of the project moving forward.

Council Member Sheppard moved to authorize the City Manager to enter into a Letter of Intent with KHGR. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

N. ADJOURN

There being no further business on the agenda the meeting was adjourned at 9:31 p.m.



Lorri Coody, TRMC, City Secretary