

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MARCH 16, 2020 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 Mitcham at 7:00 p.m. with the following present:

Mayor, Andrew Mitcham

Council Member, Drew Wasson

Council Member, Greg Holden

Council Member, Bobby Warren

Council Member, James Singleton

Council Member, Gary Wubbenhorst

City Manager, Austin Bless

City Secretary, Lorri Coody

City Attorney, Justin Pruitt

Staff in attendance: Mark Bitz, Fire Chief; Kirk Riggs, Chief of Police; Isabel Kato, Finance Director; Jason Alfaro, Director of Parks and Recreation; Harry Ward, Director of Public Works; and Christian Somers, Building Official.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

1. Prayer and Pledge by: Frank Maher, Assistant Fire Chief

**C. PRESENTATIONS**

1. **Presentation of Life Saving Award** - This item was not called and will be presented at a later date.

**D. CITIZENS' COMMENTS**

Any person who desires to address City Council regarding an item on the agenda 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 not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the City Council.

**Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430**: Mr. Maloy spoke to City Council about property tax exemptions and the proposed trail in conjunction with the Parks Master Plan.

**Jo Hewett, 15917 Lakeview Drive, Jersey Village, Texas (713) 806-8453**: Mrs. Hewett gave an update to City Council on the Jersey Village Senior Outreach program.

Council Member Bobby Warren read a statement from Barbara Freeman. Mrs. Freeman gave praise to the Jersey Village Fire Department and their work in the Community.

**E. CITY MANAGER'S REPORT**

City Manager Bless gave the following monthly report:

1. **Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – January 2019, General Fund Budget Projections as of February 2020, and Utility Fund Budget Projections – February 2020.**
2. **Fire Departmental Report and Communication Division's Monthly Report**

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3. **Police Activity Report, Warrant Report, Investigations/Calls for Service 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 Summary and 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**

Additionally, he gave an update on the actions of Staff concerning COVID-19. He told Council that Staff has been discussing the coronavirus for a couple of weeks and how it will affect staffing. He stated that Staff met again today and outlined a plan for moving forward to include the following:

- Most administrative Staff will work from home;
- Parks and Recreation crews will keep the parks clean and sanitized;
- Golf Course Staff will clean and sanitize all high-touch areas both inside and out;
- The Golf Course Restaurant will only have food to go;
- The Fire Department has cancelled training, tours, and they are only allowing a limited number of people in the station at any given time. Additionally, a quarantined area has been set up to accommodate Staff who are not feeling well;
- The Police Department is checking for symptoms and sending those with symptoms downtown, they are sanitizing equipment and all high-touch areas; and
- Court has been cancelled for the next two (2) weeks. There will be no jury trials and additional information about the Court can be found on the City's website.

City Manager Bless feels that Staff is prepared. Services will continue with all departments pitching in.

Council Member Singleton stated that he had reached out to the Federal Government. The response was too little too late. He reminded everyone that the goal is to take deliberate steps at this point. That everyone should practice social distancing, keep hands clean, and avoid touching the face.

Mayor Mitcham stated that he too has been keeping in contact with other governmental agencies. The current problem involves testing. There is an increase of flu symptoms but not an increase of positive tests. The best move forward is to abide by the prescribed precautions. It is going to be a couple of tough months ahead, but we will get through it. He also recommended that residents who find themselves without jobs to call their creditors in order to make arrangements concerning payments. He would like to see relief for those who have lost jobs in the community and for small businesses. The goal at this point is to keep everyone healthy and keep the virus from spreading. Staff will keep on top of things which will likely change quickly.

**F. CONSENT AGENDA**

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

- 1. Consider approval of the Minutes for the Regular Session Meeting held on February 17, 2020, the Town Hall Meeting held on February 12, 2020 and the Special Session Meeting held on February 22, 2020.**
- 2. Consider Ordinance No. 2020-03, cancelling the election scheduled to be held on May 2, 2020, in accordance with Section 2.053(a) of the Texas Election Code.**

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CANCELLING THE ELECTION SCHEDULED TO BE HELD ON MAY 2, 2020, IN ACCORDANCE WITH SECTION 2.053(A) OF THE TEXAS ELECTION CODE.

- 3. Consider Ordinance No. 2020-04, amending the General Fund Budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 by increasing line item 01-12-5502 (Legal Fees) in the amount not to exceed \$52,501.76, line item 01-12-5515 (Consultant Services) in the amount not to exceed \$17,430, line item 01-12-6570 (Land Acquisition) in the amount not to exceed \$48,407.64 and reducing line item 01-12-9761 (Transfer to Golf Fund) in the amount not to exceed \$118,339.40.**

ORDINANCE NO. 2020-04

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 BY INCREASING LINE ITEM 01-12-5502 (LEGAL FEES) IN THE AMOUNT NOT TO EXCEED \$52,501.76, LINE ITEM 01-12-5515 (CONSULTANT SERVICES) IN THE AMOUNT NOT TO EXCEED \$17,430, LINE ITEM 01-12-6570 (LAND ACQUISITION) IN THE AMOUNT NOT TO EXCEED \$48,407.64 AND REDUCING LINE ITEM 01-12-9761 (TRANSFER TO GOLF FUND) IN THE AMOUNT NOT TO EXCEED \$118,339.40.

- 4. Consider Resolution No. 2020-15, suspending the May 4, 2020 effective date of the proposal by CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston Division to implement interim grip rate adjustments for gas utility investment in 2019 and requiring delivery of this resolution to the company and legal counsel.**

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RESOLUTION NO. 2020-15

A RESOLUTION BY THE CITY OF JERSEY VILLAGE, TEXAS SUSPENDING THE MAY 4, 2020 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – HOUSTON DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2019 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

5. **Receive the progress report from the Owners of the property located at 16884 NW FWY, Jersey Village, Texas concerning the progress on the performance of the permitted work required under Ordinance 2019-11, which found the structures on the Property to be substandard and a public nuisance; ordered JERSEY VILLAGE LODGING, LLC to abate the substandard and dangerous structures on the Property within 180 days; authorized the repair or demolition of the structures on the Property if the owners fail to abate the substandard and dangerous structures; authorized a lien against the Property for the costs of repair or demolition; and made other findings and provisions related thereto.**

Council Member Wubbenhorst moved to approve items 1 through 5 on the consent agenda. Council Member Warren seconded the motion. The vote follows:

Ayes: Council Members Wasson, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

**G. REGULAR SESSION**

1. **Consider Resolution No. 2020-16, reviewing and accepting the 2019 Comprehensive Annual Financial Report (CAFR).**

Isabel Kato, Finance Director, introduced the item. She told Council that the City of Jersey Village is required to publish each year a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles (GAAP), and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants.

She introduced the Consultant Robert Belt from Belt Harris & Associates LLLP who gave an overview of the audit findings and the financial position of the City.

After a brief question and answer session concerning the findings, Council Member Wasson moved to approve Resolution No. 2020-16, reviewing and accepting the 2019 Comprehensive Annual Financial Report (CAFR). Council Member Wubbenhorst seconded the motion. The vote follows:

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Ayes: Council Members Wasson, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, REVIEWING AND ACCEPTING THE 2019 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR).

2. **Consider Ordinance No. 2020-05, amending Chapter 6, Article I, Section 6-8 of the Code of Ordinances of the City of Jersey Village, entitled “Sale or Consumption on City Property”; amending Chapter 42, Article VI, Section 42-193 of the Code of Ordinances of the City of Jersey Village, entitled “Application Procedure”, adding a provision relating to Beer and wine at Special Events; providing a penalty; providing for severability; providing for publication; and, providing an effective date.**

Jason Alfaro, Director of Parks and Recreation, introduced the item. He told City Council that this item it to consider an Ordinance amending Chapter 6 and Chapter 42 of the Jersey Village Code of Ordinances concerning the permitting of special events that meet specified criteria in order to allow the possession, sale, or consumption of alcohol in parks.

The Ordinance amends Article I, Section 6-8, the sale or consumption on City property; and amends Chapter 42, Article VI, Section 42-193, by adding a provision relating to beer and wine at special events.

The special event permit applications will only be considered if the event meets the following criteria:

- 1.) The name, address, email and cell phone number of the on-site coordinator, who will be present at the event.
- 2.) Copy of the requisite license from the Texas Alcohol Beverages Commission, if applicable.
- 3.) Proof of appropriate Harris County Health Department inspection/permit
- 4.) Certificate of insurance naming the City of Jersey Village as additional insured of not less than \$1,000,000.
- 5.) Any other information deemed necessary by the City Manager, or his designee.

With expanded quality of life programs and events, the Parks and Recreation Department has found that adult activities are a continued desire for the community. This year the department has targeted adult activities by created an adult concert in the park and adult Easter Egg Hunt. These types of activities/programs help bring our community together. In the NRPA (National Recreation and Parks Association) 2018 Americans’ engagement with parks report 62% of the 1,000 adult respondents go to parks to be with family or

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friends. Focusing on these statistics and continued engagement of the community we feel that adding and amending these ordinances is advantageous to the city. This change does not allow alcohol in the park at any given time, but rather allows an event, by permit, to sell alcohol and allow patrons to consume alcohol in the parks, only when approved by the City.

Council discussed the built-in safeguards in the Ordinance that protect the City from liability. Some wanted to know what other cities are doing in connection with alcohol on City property. Mr. Alfaro explained that most do not allow alcohol on City property without a permit. He told Council that our legal department has reviewed the language in the proposed Ordinance.

Council also discussed if police officers will be needed on-site when alcohol is being served. Mr. Alfaro explained that the need for officers is covered during the event permitting process as outlined in another section of the City's Code. He told Council that the change being proposed will be for any entity permitted to use our parks with alcohol.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance 2020-05, amending Chapter 6, Article I, Section 6-8 of the Code of Ordinances of the City of Jersey Village, entitled "Sale or Consumption on City Property"; amending Chapter 42, Article VI, Section 42-193 of the Code of Ordinances of the City of Jersey Village, entitled "Application Procedure", adding a provision relating to Beer and wine at Special Events; providing a penalty; providing for severability; providing for publication; and, providing an effective date. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Wasson, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 6, ARTICLE I, SECTION 6-8 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, ENTITLED "SALE OR CONSUMPTION ON CITY PROPERTY"; AMENDING CHAPTER 42, ARTICLE VI, SECTION 42-193 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, ENTITLED "APPLICATION PROCEDURE", ADDING A PROVISION RELATING TO BEER AND WINE AT SPECIAL EVENTS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE.

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**H. MAYOR AND COUNCIL COMMENTS**

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality;
- 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 Warren:** Council Member Warren commented on COVID-19. He stated that a bit of precaution goes a long way and prevents tragedy. He encouraged everyone to take good care of themselves, practice social distancing, wash hands, etc.

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

**Council Member Wasson:** Council Member Wasson stated that there is a lot of fear surrounding COVID-19. Do not give into fear. Stay informed, be safe. Plan on using this time to spend more time with your family. Reach out if you need something. He closed by encouraging all to complete the 2020 Census. It is important.

**Council Member Singleton:** Council Member Singleton agrees with Council Member Wasson, do not live by fear. Take precautions and remain sensible, strategic and purpose driven.

**Council Member Wubbenhorst:** Council Member Wubbenhorst thanked the City Manager, the City Secretary and all of the Department Heads for educating themselves about the virus and what we need to do. Their efforts in these difficult times are outstanding.

**Mayor Mitcham:** Mayor Mitcham agreed that there is a lot going on and we all need to stay informed. He encouraged small businesses to apply for the funds provided by the Federal Government. He reminded Jersey Village Seniors that the Jersey Village Senior Outreach group is here to help. He also encouraged everyone to help their neighbors. We all need to help each other. He thanked City Staff for their work. He thanked the first responders. Be Safe, wash your hands, cough in your elbow, and practice social distancing.

**I. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 7:42 p.m.

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Lorri Coody, City Secretary