

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 19, 2021 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 7:01 p.m. with the following present:

Mayor, Andrew Mitcham	City Manager, Austin Bless
Council Member, Drew Wasson	City Secretary, Lorri Coody
Council Member, Greg Holden	City Attorney, Justin Pruitt
Council Member, Bobby Warren	
Council Member, James Singleton	
Council Member, Gary Wubbenhorst	

The following City of Jersey Village Planning and Zoning Commission members were present at this meeting:

Rick Faircloth, Chairman	Ty Camp, Commissioner
Joseph Paul, Vice Chairman	Barbara Freeman, Commissioner
Jennifer McCrea, Commissioner	

Commissioners Courtney Standlee and Debra Mergel 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; Harry Ward, Director of Public Works and Bob Blevins, IT Director.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

C. 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 proposals: (1) to amend Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas by authorizing revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”) and (2) to amend Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at Subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way.**

Mayor Mitcham called the item and Chairman Rick Faircloth announced a quorum for the Planning and Zoning Commission. Mayor Mitcham opened the Joint Public Hearing at 7:05 p.m., for the purpose of receiving oral comments from any interested person(s) concerning the proposals to: (1) to amend Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas by authorizing revision of the official zoning map as set out in

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Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”) and (2) to amend Chapter 14, “Building and Development,” Article XII, “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at Subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430: Mr. Maloy spoke to City Council about the right-of-way in the Tree Ordinance. He was concerned about the height of the trees that encroach over the sidewalks. He wondered if there are any other right-of-ways that are impacted by this change in the Ordinance. He was concerned about maintenance of the trees. City Manager Bleess explained the change.

Mr. Maloy also spoke to City Council about questions concerning the golf course. City Attorney Pruitt told Mr. Maloy that he will need to make these type comments during Citizens’ Comments as this item is a Joint Public Hearing with the Planning and Zoning Commission.

With no one else signing up to speak at the hearing, Mayor Mitcham and Chairman Faircloth closed the joint public hearing at 7:08 p.m. and the Planning and Zoning Commission retired from the City Council meeting at 7:08 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 7:08 p.m.

D. CITIZENS’ COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their comments to the City Council.

Curtis Haverty, 15405 Ashburton, Jersey Village, Texas (713) 896-8408: Mr. Haverty thanked Council for their service. He knows that Council, on any new topic, researches the pros and cons and makes sound decisions that will carry the City into at least the next five years. He went on to say that Council Members continuously serve their City. The members are neighbors. They serve the community and are there when residents really need help. They are voted into office to study problems in the City and make good decision with the best interest of the City. City Council Members do not get paid. It is volunteer work.

Mr. Haverty spoke to the Fire Control Prevention Emergency Medical Services District (FCPEMSD) Proposition A that is on the May 1, 2021 ballot. He stated that this Proposition is to create a FCPEMSD. If created, it will function similar to the existing Crime Control and

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Prevention District for the Police Department. He told City Council that visitors coming into the City will help fund the FCPMSD as well as the CCPD as both are funded through sales tax dollars. Therefore, every dollar visitors spend in the City will equate to dollars that residents will not have to pay to support these much needed services. He called attention to a brochure that was posted to his doors stating “NOT” to vote for the FCPMSD. He told City Council that the brochure did not contain true information. He stated that the brochure did not include information on who was circulating it, which was disappointing. Mr. Haverty stated that this Proposition will help fund services and while there are other avenues the City Council could have chosen to place these tax dollar revenues, the City Council has chosen the FCPMSD to receive these funds if voted upon by the residents.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430: Mr. Maloy spoke to the Sales Tax Property Tax Relief Fund. He stated that this fund was approved by the voters back in 1995 to provide property tax relief to residents. He went on to state his opinions about the distribution of the sales tax revenue. He does not support Proposition A that, if approved, will create a Fire Control Prevention Emergency Medical Services District and eliminate the Property Tax Relief Fund. He feels that the City is trying to get around what was voted on in 1995 and allow the City to collect more revenue from sales tax for other purposes. He complained about what he feels is the City “stockpiling” monies.

Bill Edwards, 16001 Jersey Drive, Jersey Village, Texas (713) 466-4383: Mr. Edwards spoke to the changes being proposed for tree trimming. He feels it might be an unfunded mandate by the City for residents to trim trees. He mentioned that in the past the City trimmed the trees on Senate, and he feels this change will require residents to trim these trees. He complained about that maintenance. City Council inquired to the location of the trees being addressed by Mr. Edwards. It was confirmed that these trees are located in the right-of-way. City Council explained that trees in the City easement will continue to be trimmed by the City, and that the proposed changes will only affect trees located on his property.

Nancy Yetter, 16121 Capri Drive, Jersey Village, Texas (713) 419-3609: Ms. Yetter spoke to Council about the proposal to build the new City Hall on the other side of US HWY 290. She believes that we need a new City Hall, but does not support building it on the other side of US HWY 290. She is concerned that developing on the other side of US HWY 290, will be viewed by residents as “NOT” being located in Jersey Village. She believes that City Hall needs to be close to the residents and should remain at its current location.

Michael Stembridge, 15422 Jersey Drive, Jersey Village, Texas (713) 983-8647: Mr. Stembridge spoke City Council, asking that his home be elevated. He stated that his home, at one time, was on the list for elevation, but it was removed and never placed back on the home elevation list. He went on to explain that his home is not eligible for a reconstruction through FEMA. He also stated that he cannot afford the tear down and rebuild through the TIRZ3 Program. He stated that his research has shown that his home is eligible for a home elevation. He does not support big spending by the City. He wants the property tax relief fund to remain in effect and does not

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want to lose this. He does not support the move of City Hall to the other side of US HWY 290. He needs help and does not feel that he is getting this help. It is time for change.

Karen Listi, 16302 Acapulco, Jersey Village, Texas (713) 962-5821: Ms. Listi thanked Council for their work. She stated her concerns over the building costs that have increased due to the pandemic. She researched these costs and gave information about these increases. She believes that these increases may affect any building plans by the City. While we need a new City Hall and she supports Village Center, she is concerned that building something that will not bring in tax dollars at this time is not a good idea. She believes that it would be better to build something in Village Center that will bring in tax revenue such as retail, rather than build a City Hall. She has visited Sugar Land Center, but has never visited the City Hall there. She is concerned about the monies that will be spent on the City Hall project at this point.

Rick Bull, 15310 Glamorgan Drive, Jersey Village, Texas (713) 937-4143: Mr. Bull spoke to the inaccurate stories going around that the police and fire departments are moving from their current location. He wanted to clarify that police and fire are “NOT” moving, it is only City Hall.

Ashley Brown, 15602 Lakeview Drive, Jersey Village, Texas (936) 662-5231: – Ms. Brown spoke to City Council about what she believes to be the job of an elected official. She stated, that over the past month, she has been working with a team of individuals to canvass the residents about their concerns. She learned that residents want the City Hall to stay at its current location. She went on to explain that she filed a petition with 15% of the voters signing, indicating their desire to keep City Hall in its current location. She gave background information about other projects that had city town halls. She told City Council that building costs are increasing due to the pandemic. She is concerned that tax dollars will be spent on this project without any input by the residents. She believes that the residents deserve that their voice be heard and that the initiative be placed on the ballot in November for a vote. She wants Council to listen to the residents.

Kim-Ling Sun, 16330 Acapulco Drive, Jersey Village, Texas (832) 865-2604: Ms. Sun spoke to City Council about her support of the move of City Hall to Village Center. She explained that in the past 15 years, she has only gone to City Hall maybe 3 times a year. For this reason, she does not support that the City Hall needs to stay located at its current location. She believes making the move will decrease traffic in the residential section of the City, make way for better events for residents, and bring in more tax revenues. She feels that these plans have been in the making for many years, and it should not be a surprise to residents.

Scott Schubring, 15814 Tenbury, Jersey Village, Texas (713) 829-2972: Mr. Schubring thanked City Council for their work. He also thanked those choosing to run for office in the upcoming election. It is a thankless job. He supports the moving of City Hall to Village Center, stating that it is part of our long-term plan. He explained that it is important to think before questioning leadership decisions. He pointed out that leaders have details and information that you do not have. Therefore, we must trust our elected leaders to do what is best for us. They have more information that is used to make sound decisions.

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Erik Henau, 15601 Singapore Lane, Jersey Village, Texas (832) 567-0974: Mr. Henau is a new home owner in Jersey Village. He thanked City Council for their hard work. He mentioned the election cycle. He believes that the City Hall / Village Center development is a good decision for the future. He believes that this development will provide additional revenues for the City. He supports moving City Hall and the building of Village Center. He believes a new City Hall is needed. He likes that the fire and police will not be re-located. He loves Jersey Village. The greatest contribution in Jersey Village is its sense of community. It is a strong, robust and loving community, as demonstrated during the recent ice storm. He looks forward to all that Jersey Village has to offer. While we may not all agree on everything, we can all agree that being a part of Jersey Village is good.

Cathy Huebner, 15806 Acapulco, Jersey Village, Texas (713) 823-3081: Ms. Huebner supports the Village Center Project and the move of City Hall to Village Center. She grew up in Jersey Village and most of her family lives here. It is her home and she loves Jersey Village. She believes that all residents want the best for Jersey Village. Residents have come to love the amenities the Jersey Village offers. We all enjoy the new development on Senate – the Brewery and Little Kitchen. She looks forward to what the Village Center development will bring. The current City Hall is an embarrassment. It must be rebuilt. Building it is Village Center is a good idea. She thanked City Council for this project. She trusts and believed in this decision. She went on to speak to possible tax revenues from the new development. She disagrees with the recent petition filed concerning the location of City Hall and believes that those that did sign only want the best for Jersey Village.

Christine Layton, 15513 Mauna Loa Lane, Jersey Village, Texas (832) 423-6704: Ms. Layton spoke to City Council, stating that she does not support the petition that was recently filed concerning the location of the new City Hall. She told City Council that she was asked to sign this petition. When she declined, she told City Council that the circulator asked her “Don’t you even want the opportunity to vote on this issue?” She told City Council that her response to the circulator was I have already voted when I placed my vote for those serving as City Council Members. She went on to say that she feels that some residents were misled into signing this petition. She wants her family to have updated equipment and good police and fire services. She wants flooding to be reduced. She wants a nice development to invite friends and family to enjoy the restaurants and shops like they do at City Center and Sugar Land. She believes having Village Center will make Jersey Village a great destination. She has a love hate relationship with City Council and went on to explain by giving examples that basically showed how hard City Council works and how much they care. It was a play on words. She appreciates all that City Council does for residents.

Michelle Mitcham, 15810 Acapulco Drive, Jersey Village, Texas (281) 660-3607: Ms. Mitcham told City Council that she is a candidate for City Council Member Place 3. Ms. Mitcham gave background information about her education and her therapy clinic. She stated that with her business experience, she feels she is well prepared to address the issues that face the City. She gave background financial information for the City, including information about the grant monies that the City has received to fund various flood projects. She gave background information about

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sales tax revenue and how these funds have continued to grow over the years. She told City Council that she supports Village Center and noted that Jersey Village continues to grow. She gave information about future projects and explained that there will be an increased need for future police and fire services. She believes in making decisions that will help the City pay for the rising cost of policing, flood mitigation etc. She is asking for residents to vote for her at the polls.

Ty Camp, 16009 Saint John Court, Jersey Village, Texas (713) 560-8435: Mr. Camp told City Council that he supports moving City Hall and he supports the Village Center Development. When he first heard of this development several years ago, he was very excited. He was so excited that he asked to be a part of the TIRZ Board that is a part of this development. He went on to explain his excitement and his trust in Council. He thanked the Council for their good decisions and vision. He also thanked Mayor Andrew Mitcham for his service to this Community, first as a Council Member and then as Mayor. He believes that the Mayor loves Jersey Village, stating that he is a great neighbor and has worked hard for the future of Jersey Village. He gave examples of how the Mayor has been a good neighbor and how he serves the City.

E. CITY MANAGER’S REPORT

City Manager Bless gave his monthly report as follows. He recognized the April Employee of the Month Jesus Valentin who works in the Utility Department. He gave an update on the golf course berm project.

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – February 2021, General Fund Budget Projections as of March 2021, Utility Fund Budget Projections – March 2021 and Quarterly Investment Report – March 2021.**
- 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**
- 8. April Employee of the Month**

F. CITY SECRETARY’S REPORT

- 1. City Secretary’s Report**

G. 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 March 15, 2021 and the Special Session Meetings held on March 29, 2021 and April 1, 2021.**
- 2. Consider Ordinance No. 2021-15, amending the Code of Ordinances of the City of Jersey Village, Texas, at Chapter 66. Traffic and Vehicles, by deleting Article V, Automated Red Light Enforcement, in order to conform to State law; providing a severability clause; providing for repeal; and providing an effective date.**

ORDINANCE NO. 2021-15

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, AT CHAPTER 66. TRAFFIC AND VEHICLES, BY DELETING ARTICLE V, AUTOMATED RED LIGHT ENFORCEMENT, IN ORDER TO CONFORM TO STATE LAW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

Council Member Wubbenhorst moved to approve items 1 and 2 on the consent agenda. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

H. REGULAR SESSION

- 1. Receive the Golf Course Advisory Committee Report.**

Robert Basford, Director of Parks and Recreation, gave the Golf Course Advisory Committee Report. He fielded questions from the Council and answered accordingly.

- 2. Consider Ordinance No. 2021-16, amending the Golf Course Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$25,000, by increasing line item 11-87-7010 (Golf Course Capital Improvement) from the Golf Course Fund Balance.**

Robert Basford, Director of Parks and Recreation, introduced the item. Background information is as follows: The golf course driving range has experienced a large spike in demand over the last several years. Currently there are golfers waiting to use the driving range daily and we fear this may begin to turn customers away. We are bringing this to

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council now because we have an opportunity to utilize a contractor and materials that are onsite to eliminate mobilization costs.

This project will extend the driving range southeast to increase our total number of mats from 21 mats to 35 mats. It will include the fill, concrete, mats and sod for the extension. We will use our existing 20 foot poles (4) and our existing net left over from our netting project to install a net barrier on the south east side of the driving range tee box to protect golfers on the chipping green and the golfers on hole two. This will be done in house. This is depicted on the image on exhibit B page as “Use existing 20’ Poles and Net”.

For our next fiscal year we are looking at a potential supplemental to include an additional net that extends 300 feet from the back of the range, west towards the practice chipping area to protect golfers on hole two. The supplemental will also include an increase in height to the first 3 sections of the parking lot net to 40 feet to protect the parking from the new driving range area. This concept is also depicted in exhibit B.

This expansion project, including the supplemental anticipated for next year, will produce an ROI in one year if we average 23 additional buckets a day at an average price of \$11 for 350 days. We averaged 2.7 buckets a day for each mat last fiscal year and currently average 3 buckets a day for each mat this fiscal year. The driving range project NOT TO EXCEED estimate is \$25,000.

Council engaged in discussion about the project. There was a question about the parking lot netting. Mr. Basford explained how this section will be addressed. There was concern that there may be a need to protect the driveway. Mr. Basford addressed this concern.

The projections given for the return on investment was very much appreciated by the Council.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2021-16, amending the Golf Course Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$25,000, by increasing line item 11-87-7010 (Golf Course Capital Improvement) from the Golf Course Fund Balance. Council Member Warren seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2021-16

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GOLF COURSE FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER

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1, 2020 AND ENDING SEPTEMBER 30, 2021 IN THE AMOUNT NOT TO EXCEED \$25,000 BY INCREASING LINE ITEM 11-87-7010 (GOLF COURSE CAPITAL IMPROVEMENT) FROM THE GOLF COURSE FUND BALANCE.

- 3. Consider Ordinance No. 2021-17, amending the Capital Improvements Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$350,000 by increasing line item 10-91-1147 (golf course irrigation) from the Capital Improvements Fund Balance to cover the cost of the Golf Course Irrigation Project; and authorizing the City Manager to execute all documents with Greenscapes Six for installation services and to purchase the necessary project supplies from Keeling CO – Houston.**

Robert Basford, Director of Parks and Recreation, introduced the item. Background information is as follows: This project was previously budgeted to include the Golf Course Berm Project as well as the two wire irrigation system at the golf course. The new design of the golf course, including the berm, was designed to hold water in areas that housed our current irrigation control boxes, which means they will need to be replaced entirely. Now that the project will be funded via grant, we had to separate the irrigation from the berm project. Given that our current system was inefficient and outdated, the decision was made to install a two wire system necessary for the cost efficient and effective operation required by the Golf Course maintenance department.

This project includes Rain Bird irrigation materials and the Installation of the system, along with as built drawings provided by Greenscapes Six. This will allow us to communicate to each irrigation head individually, as well as set individual timers to ensure that areas do not get overwatered as they have in the past.

The project NOT TO EXCEED estimate came in at \$318,597.57. The installation of the materials will be completed by Greenscapes Six, who are members of buy board (Vendor #4582), for a price of \$170,040.00. The Rain Bird irrigation materials will cost \$148,557.57 and will be purchased from Keeling CO – Houston, a sole source vendor. This Project will be completed near the conclusion of the Berm project to limit the amount of Golf Course disruption. We have included an additional \$31,402.43 for expansion, if needed.

This item is to approve the budget amendment, the Standard Contract with Greenscapes Six and authorize the purchase of necessary supplies from Keeling CO – Houston.

City Council engaged in discussion about this item. There was a question about the total grant amount. City Manager Bleess explained it was about \$6M. Some members of Council stated that when we look at modifications to the GC, it is important to note that we can pay for these modification because of good planning and the efforts put into requesting grant funding.

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Some members want to know how a golf course irrigation system can differ from that of a residential irrigation system. Mr. Basford explained the differences and the concern for maintaining the course in placing water where needed and to regulate the flow according to those needs. He stated that it is a large system composed of some 436 sprinkler heads.

There was discussion about how long the system will last. Mr. Basford stated it should last some 20 plus years. The current system is over 20 years old and currently is in need of replacement.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2021-17, amending the Capital Improvements Fund Budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 in the amount not to exceed \$350,000 by increasing line item 10-91-1147 (golf course irrigation) from the Capital Improvements Fund Balance to cover the cost of the Golf Course Irrigation Project; and authorizing the City Manager to execute all documents with Greenscapes Six for installation services and to purchase the necessary project supplies from Keeling CO – Houston. 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. 2021-17

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CAPITAL IMPROVEMENTS FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 IN THE AMOUNT NOT TO EXCEED \$350,000 BY INCREASING LINE ITEM 10-91-1147 (GOLF COURSE IRRIGATION) FROM THE CAPITAL IMPROVEMENTS FUND BALANCE TO COVER THE COST OF THE GOLF COURSE IRRIGATION PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS WITH GREENSCAPES SIX FOR INSTALLATION SERVICES AND TO PURCHASE THE NECESSARY PROJECT SUPPLIES FROM KEELING CO – HOUSTON.

4. Consider Resolution No. 2021-20, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board for the City of Jersey Village Tax Increment Reinvestment Zone No. 3 (TIRZ No. 3).

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

On March 15, 2021, City Council created Tax Increment Reinvestment Zone No. 3 along with an advisory board of directors to assist City Council in the operation and administration of the Zone.

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The Tax Increment Reinvestment Zone Board shall consist of nine (9) Directors, as follows:

1. The member of the State Senate in whose district TIRZ No. 3 is located is a member of the Board, and the member of the State House of Representatives in whose district TIRZ No. 3 is located is a member of the Board, except that either may designate another individual to serve in the member's place at the pleasure of the member.
2. Each taxing unit that levies taxes on real property in TIRZ No. 3 may appoint one (1) member to the Board if the taxing unit has approved the payment of all or part of the tax increment produced by the taxing unit into the tax increment fund for TIRZ No. 3. If a taxing unit chooses to not participate, then the City Council (the "Council") of the City of Jersey Village (the "City") may appoint a number of members to the Board such that the Board comprises nine (9) members.

Staff has reached out to members of the State Senate and State House of Representatives whose districts are located in the TIRZ No. 3. As of this writing Representative Rosenthal has said he will participate, but we have not yet heard from Senator Bettencourt.

Additionally, Staff has reached out to the following taxing units that levy taxes in the TIRZ No. 3, and have had no response concerning interest in participating in the Zone:

- Lone Star College;
- Harris County;
- Harris County Flood Control District;
- Harris County Port Authority;
- Cy Fair Independent School District; and
- Harris County Department of Education.

Staff requested to hear from these entities by April 12 if they would like to participate, or if they needed more time to consider participation. Given that Staff has had no response, at this time the City Council will need to appoint seven (7) Directors to serve on the TIRZ No. 3 Board.

In order to serve on the TIRZ No. 3 Board, with the exception of the State Senator and State House Representative members, all other Board members shall be at least eighteen (18) years of age and own real property in TIRZ No. 3, or be an employee or agent of a person that owns real property in TIRZ No. 3. Any Board member who ceases to possess such qualifications shall automatically be deemed to have vacated their membership on the Board.

The initial Board member appointments by the Council or a taxing unit shall be as follows:

1. No more than four (4) members shall be appointed for a term expiring December 31, 2021.

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2. No more than five (5) members shall be appointed for a term expiring December 31, 2022.

All appointments for Board members made after the initial appointments shall be for a term of two (2) years starting on January 1, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term.

The authority and responsibility of the Board expressly includes:

1. Making recommendations to the Council regarding the administration of TIRZ No. 3;
2. Making recommendations to the Council regarding agreements that are necessary or convenient to implement the TIRZ No. 3 project plan and financing plan;
3. Making recommendations to the Council regarding agreements with local governments or political subdivisions for management of TIRZ No. 3;
4. Making recommendations to the Council regarding the expenditure of funds related to development and redevelopment of land within TIRZ No. 3;
5. Acting as the lead entity in working with other City boards and commissions regarding incentives, regulations, infrastructure, and all other physical and economic development decisions related to TIRZ No. 3; and,
6. Providing an annual progress report to the Council, and as requested by the Council.

The City currently has five (5) applications from individuals interested in appointment to serve as a Director on the TIRZ No. 3 Board of Directors. This item is to consider those applications and appoint Directors to serve on the TIRZ No. 3 Board of Directors.

Council engaged in discussion about the submitted applications. With no further discussion on the matter, Council Member Singleton moved appoint Bill Rackley, Katie Moore, Monica Escobedo, and Sylvia Perry to the TIRZ NO. 3 Board for the term ending December 31, 2021 and Meg Crady for the term ending December 31, 2022. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-20

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

5. **Consider Resolution No. 2021-21, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend the Code of Ordinances of the City**

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of Jersey Village at Chapter 14 by authorizing revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”).

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

The Planning and Zoning Commission met on March 1, 2021 to discuss and take appropriate action on the application of Lasco Development Corporation, filed on behalf of Sezka Limited Partnership and Ronald B. Doan, Jr., requesting a zoning amendment change from District A to District F for that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas.

The Commission recommended in its preliminary report, which was submitted to Council at its March 15, 2021 meeting, that amendments be made to Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas by authorizing revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”). Additionally, the Commission requested that a Joint Public Hearing be ordered for April 19, 2021.

This evening, the City Council and the Planning and Zoning Commission conducted the joint public hearing. This item is for the Planning and Zoning Commission to present the final report and recommendation to Council.

With limited discussion on the matter, Council Member Singleton moved to approve Resolution No. 2021-21, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend the Code of Ordinances of the City of Jersey Village at Chapter 14 by authorizing revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”). Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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RESOLUTION NO. 2021-21

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 CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE AT CHAPTER 14 BY AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP AS SET OUT IN SECTION 14-82 SO THAT AREA OF LAND BEING GENERALLY DESCRIBED AS APPROXIMATELY 3.9 ACRES OF LAND ADJACENT TO THE SOUTHEAST CITY LIMITS NEAR JONES ROAD AND FM 529, IN THE CITY OF JERSEY VILLAGE, TEXAS, SHALL BE CHANGED FROM ZONING DISTRICT A (“SINGLE-FAMILY DWELLING DISTRICT”) TO ZONING DISTRICT F (“FIRST BUSINESS DISTRICT”).

6. **Consider Ordinance No. 2021-18, amending the Code of Ordinances of the City of Jersey Village, Texas by authorizing revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”).**

Harry Ward, Director of Public Works, introduced the item. He explained that 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 revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”).

With limited discussion on the matter, Council Member Warren moved to approve Ordinance No. 2021-18, amending the Code of Ordinances of the City of Jersey Village, Texas by authorizing revision of the official zoning map as set out in Section 14-82 so that area of land being generally described as approximately 3.9 acres of land adjacent to the southeast City limits near Jones Road and FM 529, in the City of Jersey Village, Texas, shall be changed from Zoning District A (“single-family dwelling district”) to Zoning District F (“First Business District”). 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. 2021-18

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AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP AS SET OUT IN SECTION 14-82 SO THAT THE AREA OF LAND BEING GENERALLY DESCRIBED AS APPROXIMATELY 3.9 ACRES OF LAND ADJACENT TO THE SOUTHEAST CITY LIMITS NEAR JONES ROAD AND FM 529, IN THE CITY OF JERSEY VILLAGE, TEXAS, SHALL BE CHANGED FROM ZONING DISTRICT A (“SINGLE FAMILY DWELLING DISTRICT”) TO ZONING DISTRICT F (“FIRST BUSINESS DISTRICT”); CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 7. Consider Resolution No. 2021-22, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend the Code of Ordinances of the City of Jersey Village at Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at Subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way.**

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

The Planning and Zoning Commission met on March 1, 2021 to discuss and take appropriate action on the proposal to amend the Code of Ordinances of the City of Jersey Village at Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at Subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way.

The Commission recommended in its preliminary report, which was submitted to Council at its March 15, 2021 meeting, that amendments be made to Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at Subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way. Additionally, the Commission requested that a Joint Public Hearing be ordered for April 19, 2021.

This evening, the City Council and the Planning and Zoning Commission conducted the joint public hearing. This item is for the Planning and Zoning Commission to present the final report and recommendation to Council.

Council engaged in discussion of how this request came about. City Manager Bless explained that a review of the Tree Ordinance was a goal of the 2016 Comprehensive Plan and therefore, it was brought to the Planning and Zoning Commission for consideration. After discussions, this was the only change being suggested by the Commission. Council also discussed the need to make the changes over the sidewalks.

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With no further discussion on the matter, Council Member Wubbenhorst moved to approve Resolution No. 2021-22, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend the Code of Ordinances of the City of Jersey Village at Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at Subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way. Council Member Wasson seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-22

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 CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE AT CHAPTER 14, “BUILDING AND DEVELOPMENT,” ARTICLE XII., “LANDSCAPING, BUFFERYARD, PARK AND OPEN SPACE STANDARDS,” SECTION 14-310, “GENERAL STANDARDS,” AT SUBSECTION 6(E) IN ORDER TO INCREASE THE REQUIREMENTS FOR PRUNING TREES OVERHANGING INTO THE STREET OR RIGHT-OF-WAY.

- 8. Consider Ordinance No. 2021-19, amending the Code of Ordinances of the City of Jersey Village, by amending Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way.**

Harry Ward, Director of Public Works, introduced the item. He explained that 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 amendments to Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way.

With limited discussion on the matter, Council Member Warren moved to approve Ordinance No. 2021-19, amending the Code of Ordinances of the City of Jersey Village, by amending Chapter 14, “Building and Development,” Article XII., “Landscaping, Bufferyard, Park and Open Space Standards,” Section 14-310, “General Standards,” at subsection 6(e) in order to increase the requirements for pruning trees overhanging into the street or right-of-way. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2021-19

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 XII., “LANDSCAPING, BUFFERYARD, PARK AND OPEN SPACE STANDARDS,” SECTION 14-310, “GENERAL STANDARDS,” AT SUBSECTION 6(E) IN ORDER TO INCREASE THE REQUIREMENTS FOR PRUNING TREES OVERHANGING INTO THE STREET OR RIGHT-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; 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 a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Council Member Wubbenhorst: Council Member Wubbenhorst congratulated the Jersey Village Soccer Team for their recent victory. He also thanked the Mayor and Council Member Holden for their service. You both have done a great job that is much appreciated.

Council Member Singleton: Council Member Singleton thanked Council Member Holden for his service. He stated that he has learned much from him and Jersey Village is a much better place because of his service. He also told the Mayor thank you for his service. He stated that even though the Mayor will leave office in May, he looks forward to working with him as a neighbor and friend. He liked that so many came to the meeting tonight. He reminded all to get to know

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your neighbors and try to understand their point of view. The July 4 parade is coming soon. He encouraged all to attend. It will be the old parade route

Council Member Wasson: Council Member Wasson feels he has the best seat. On the right is the Mayor. He explained that he came to know him on-line. He is honored to have worked with the Mayor. On the left is Council Member Greg Holden. His dedication to serve the City is admirable and enviable. He has served many years. He has much experience and we all have learned much from him. Both are friends. He thanked all for coming tonight.

Council Member Holden: Council Member Holden stated that he started on Council with a goal to leave Jersey Village in a better place and he believes it is in a much better place today. He has served with many Council Members over the years, some 20 to 25, but this Council is the most informed and the most engaged and he supports them. They have done a great job. He closed by saying thank you for allowing me to serve the City.

Council Member Warren: Council Member Warren told everyone that early voting started today. Please make plans to vote early and only use Election Day as a backup plan. He thanked the many people who came out to speak today. Citizens do have a voice. They have a say in city government. That voice was exercised here today. Elections are conducted each year so use your voice at the ballot box. You can also use your voice by coming to Council Meetings or just by reaching out to Council Members via email or phone. It is important to hear from everyone regardless of your position.

Mayor Mitcham: Mayor Mitcham thanked everyone for coming and for their comments. It has been an honor to serve on Council. He explained that he was first appointed in 2015. At that time, he was immediately “thrown” into the budget planning process. The meeting packet was very detailed. He just listened and learned. He looked to experienced Council Members. He thanked Council Member Greg Holden for his service. He thanked all the Council for their service. He has enjoyed working with everyone. He has been successful because of all that have worked with him to accomplish good. He is never alone. He has many lifelong friends. He will miss serving. He thanked all for being willing to run for City Council.

J. RECESS THE REGULAR SESSION

Mayor Mitcham Recessed the Regular Session at 9:03 p.m. to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 – Consult with Attorney and Section 551.072 – Deliberation Regarding Real Property.

K. EXECUTIVE SESSION

1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding Cause No. 1060758; *City of Jersey Village, Texas v. Joe Myers Dealership Property, L.P.*; in the County Court at Law No. 4 in and for Harris County, Texas. *City Attorney*

L. ADJOURN EXECUTIVE SESSION

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Mayor Mitcham adjourned the Executive Session at 9:37 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 on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2021-23, approving an Agreed Final Judgement with Joe Myers Dealership Property, LP for the acquisition of a 5' Wide Sound Wall Easement across a 0.1754 acre tract of land as part of the US HWY 290 Expansion Project within the City of Jersey Village; and authorizing the City Manager to execute the Agreed Final Judgement and related documents; and making other findings related hereto.**

With no further discussion on the matter, Council Member Warren moved to approve Resolution 2021-23 on the condition that the Agreed Final Judgment be revised to include reference to the Assignment of Claims prior to execution by the parties. Council Member Singleton seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2021-23

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING AN AGREED FINAL JUDGEMENT WITH JOE MYERS DEALERSHIP PROPERTY, LP FOR THE ACQUISITION OF A 5' WIDE SOUND WALL EASEMENT ACROSS A 0.1754 ACRE TRACT OF LAND AS PART OF THE US HWY 290 EXPANSION PROJECT WITHIN THE CITY OF JERSEY VILLAGE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREED FINAL JUDGEMENT AND RELATED DOCUMENTS; AND MAKING OTHER FINDINGS RELATED HERETO.

M. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:38 p.m.



Lorri Coody, City Secretary