

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JULY 15, 2024, AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

**A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT**

The meeting was called to order by Mayor Warren at 7:02 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, Connie Rossi     |                              |

Council Member Drew Wasson joined the meeting via video conferencing. Council Member, Jennifer McCrea, was not present when the meeting was called to order, but joined the meeting in session at 7:29 p.m.

The following members of the City of Jersey Village Planning and Zoning Commission were present:

|                                |                                      |
|--------------------------------|--------------------------------------|
| Rick Faircloth, Chairman       | Charles A. Butler, III, Commissioner |
| Eric Heno, Commissioner        | David L. Lock, Commissioner          |
| Cynthia Kopinitz, Commissioner | Nestor Mena, Commissioner            |

Commissioner Debra Mergel was not present at this meeting.

Staff in attendance: Robert Basford, Assistant City Manager; Mark Bitz, Fire Chief; Lt. Bryant Wells, Police Department; Isabel Kato, Finance Director; Abram Syphrett, Director of Innovation and Technology; Laura Capps, Human Resource Manager; Miesha Johnson, Community Development Manager, Jordan Cruz, BBG Consultant and Building Official Representative; and Maria Thorn, Administrative Assistant.

**B. INVOCATION, PLEDGE OF ALLEGIANCE**

1. Prayer and Pledge by Mayor Bobby Warren

**C. PRESENTATIONS**

1. None

**D. JOINT PUBLIC HEARINGS**

1. **Conduct a Joint Public Hearing with the Jersey Village Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) concerning the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F.**

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 7:06 p.m., for the purpose of receiving oral comments from any interested person(s) concerning the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith

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Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F.

**James Singleton, 16522 De Lozier, Jersey Village, Texas (832) 571-3299** – Mr. Singleton spoke to the Council and the Commission about the location of this request. At first, he was concerned, but after research, he supports this pharmacy. He is excited to see it become a business in our City.

With no one else signing up to speak at the hearing, Mayor Warren 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 a final report in connection with this joint public hearing.

*Mayor Warren returned to the regular order of items on the agenda and called the next item as follows:*

**E. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT**

**1. Receive the adopted fiscal year 2024-2025 budget from the Jersey Village Crime Control and Prevention District (CCPD).**

Council received submission of the 2024-2025 fiscal year approved budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through the Board’s Secretary, Lorri Coody.

**2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District’s adopted budget for the fiscal year 2024-2025.**

Mayor Warren opened the public hearing at 7:09 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2024-2025 Crime Control and Prevention District budget that had previously been submitted to Council by the Jersey Village Crime Control and Prevention District (JVCCPD) Directors for Council’s approval.

Mayor Warren called upon Lt. Bryant Wells with the Police Department to give a summary of the 2024-2025 JVCCPD budget. He explained that the budget being presented includes the following 2024-2025 supplementals:

| FY 24-25 SUPPLEMENTAL ITEMS        |                     |                |                   |
|------------------------------------|---------------------|----------------|-------------------|
| Item                               | Cost                | Funding Source | Line Item         |
| Wearing Apparel                    | \$ 4,464.00         | CCPD           | 27-3504 / 21-3504 |
| Radio and Radar Equipment          | \$ 16,329.00        | CCPD           | 27-4503 / 21-4503 |
| Rental of Equipment Radio Air Time | \$ 8,500.00         | CCPD           | 27-5022 / 21-5022 |
| Maintenance Agreement              | \$ 17,000.00        | CCPD           | 27-5030 / 21-5030 |
| Technology User Fees               | \$ 1,640.00         | CCPD           | 27-9722           |
| <b>Total</b>                       | <b>\$ 47,933.00</b> |                |                   |

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*City Manager Bless reported that the live feed is not working, but we are capturing the audio.*

With no one signing up to speak on the 2024-2025 JVCCPD budget, Mayor Warren closed the public hearing at 7:12 p.m. and called the next item on the agenda.

**3. Consider Resolution No. 2024-53, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2024-2025.**

With limited discussion on the matter, Council Member Rossi moved to approve Resolution No. 2024-53, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2024-2025. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2024-2025 CRIME CONTROL AND PREVENTION DISTRICT BUDGET.

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

**1. Receive the adopted fiscal year 2024-2025 budget from the Jersey Village Fire Control, Prevention, and Emergency Medical Services District (FCPEMSD).**

Council received submission of the 2024-2025 fiscal year approved budget from the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) through the Board Secretary, Lorri Coody.

**2. Conduct a public hearing on the Jersey Village Fire Control, Prevention, and Emergency Medical Services District’s adopted budget for the fiscal year 2024-2025.**

Mayor Warren opened the public hearing at 7:13 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2024-2025 Fire Control Prevention, and Emergency Medical Services District budget that had previously been submitted to Council by the Jersey Village Fire Control Prevention, and Emergency Medical Services District (FCPEMSD) Directors for Council’s approval.

Mayor Warren called upon Fire Chief, Mark Bitz, to give a summary of the 2024-2025 FCPEMSD budget. Chief Bitz explained that the budget being presented includes revenue projections and the following expenses:

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| Fund 49 - Revenues     |                                 | PROPOSED REVENUE  |
|------------------------|---------------------------------|-------------------|
| 49-10-7623             | SALES TX-FIRE CONTROLPREV&EMERG | \$ (2,350,000.00) |
| 49-10-9601             | Interest                        | \$ (125,000.00)   |
|                        | Total                           | \$ (2,475,000.00) |
| Fund 49 - Expenditures |                                 |                   |
| ACCT NO.               | DESCRIPTION                     | BUDGET AMT.       |
| 49-26-3504             | Wearing Apparel                 | \$ 104,212.00     |
| 49-26-3505             | Fire Prevention Supplies        | \$ 2,900.00       |
| 49-26-4504             | Software Maintenance Update     | \$ 65,000.00      |
| 49-26-5024             | Radio Usage Fees                | \$ 15,000.00      |
| 49-26-5029             | Travel and Training             | \$ 20,000.00      |
| 49-26-5523             | Personnel - Fire Control        | \$ 1,463,850.00   |
| 49-26-5524             | Administrative                  | \$ 25,650.00      |
| 49-26-9772             | Technology User Fee             | \$ 116,510.00     |
| 49-26-9791             | Equipment User Fee              | \$ 661,878.00     |
|                        | Total                           | \$ 2,475,000.00   |

With no one signing up to speak on the 2024-2025 FCPMSD budget, Mayor Warren closed the public hearing at 7:16 p.m. and called the next item on the agenda.

**3. Consider Resolution No. 2024-54, adopting the Jersey Village Fire Control, Prevention, and Emergency Medical Services District’s Budget for fiscal year 2024-2025.**

It was pointed out that this budget, as well as the CCPD Budget, was reviewed and discussed by City Council during the July 12, 2024, Budget Meeting.

With limited discussion on the matter, Council Member Wasson moved to approve Resolution No. 2024-54, adopting the Jersey Village Fire Control Prevention, and Emergency Medical Services District’s Budget for fiscal year 2024-2025. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2024-2025 FIRE CONTROL PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT BUDGET.

**G. FISCAL 2024-2025 MUNICIPAL BUDGET ITEMS**

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**1. Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2024-2025.**

Mayor Warren opened the public hearing at 7:17 p.m. in order to give all interested parties the right to appear and be heard concerning the City of Jersey Village proposed municipal budget for the fiscal year 2024-2025.

**Bill Edwards, 16001 Jersey Drive, Jersey Village, Texas (346) 313-3766** – Mr. Edwards spoke to City Council about the budget. He complained about the City watering the esplanade during a rainstorm, as this is wasteful. He would like City Council to cut staff, especially administrative staff. He believes we can lay off staff and cut salaries to accommodate the needs of the city.

**Michael Torigian, 8325 Achgill Street, Jersey Village, Texas (713) 927-9000** – Mr. Torigian spoke to City Council about the proposed budget. He is happy about the debris pickup from the storm. He was happy to see those in the Community helping each other. His concern with the budget priorities is a \$1M expenditure to refurbish the fields at the pool location. He felt that after the bond for the pool and parks was defeated that there would be no expenditures. Accordingly, he does not believe that we should be spending these monies for this purpose. Additionally, he does not believe that many residents use the pool and is not in favor of spending monies on the pool. He is concerned about drainage issues in the City and would like to see these issues addressed from the monies from the recent bond election. Also, he feels that the \$1M set aside for the fields at the pool could be used to address these drainage issues.

City Manager Bless stated that two positions are currently not being funded in the 24-25 Budget. Additionally, Mayor Warren stated that he is happy to address any questions residents have concerning how monies are allocated during the budget process.

With no one else signing up to speak, Mayor Warren closed the public hearing at 7:26 p.m. and called the next item on the agenda as follows:

**2. Consider Resolution No. 2024-55, electing to postpone the final budget vote on the 2024-2025 Municipal Budget until August 19, 2024.**

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

Section 102.006 of the Texas Local Government Code (LGC) requires that the governing body of a municipality shall hold a public hearing on the proposed budget. Accordingly, on July 15, 2024, City Council held the public hearing on the proposed 2024-2025 municipal budget, giving all interested parties the right to appear and be heard on the proposed fiscal year 2024-2025 Municipal Budget.

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

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With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2024-55, electing to postpone the final budget vote on the 2024-2025 Municipal Budget until August 19, 2024. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Mitcham, and Rossi.

Nays: None

The motion carried.

RESOLUTION NO. 2024-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ELECTING TO POSTPONE THE FINAL BUDGET VOTE ON THE 2024-2025 MUNICIPAL BUDGET UNTIL AUGUST 19, 2024.

**3. Consider Resolution No. 2024-56, setting the maximum proposed ad valorem tax rate; setting date for the public hearing on tax increase; and setting the date City Council will adopt the fiscal year 2024-2025 ad valorem tax rate.**

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

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

This bill requires that the Notice of Public Hearing on Tax Increase include, among other things, the Proposed Tax Rate. Since the City intends to hold the Notice of Public Hearing on Tax Increase on August 19, 2024, and given that August 10 is the last date to publish the Notice in the newspaper, it is appropriate that City Council set a “maximum” proposed tax rate. The proposed Resolution accomplishes same.

In approving this Resolution, Council is NOT setting the tax rate for FY 2024-2025, as that will be accomplished during the August 19, 2024, meeting. Approving the Resolution merely states that City Council will not exceed a tax rate of 0.8475 cents per \$100 taxable value. Additionally, the vote approving the Resolution must be a record vote.

*Council Member McCrea joined the meeting in progress at 7:29 pm.*

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2024-56, setting the maximum proposed ad valorem tax rate; setting August 19, 2024, as the date for the public hearing on tax increase; and setting August 19, 2024, as the date City Council will adopt the fiscal year 2024-2025 ad valorem tax rate. Council Member Mitcham seconded the motion. The record vote follows:

|                          |     |                        |     |
|--------------------------|-----|------------------------|-----|
| Council Member Wasson:   | Aye | Council Member Rossi:  | Aye |
| Council Member Sheppard: | Aye | Council Member McCrea: | Aye |
| Council Member McCrea:   | Aye |                        |     |

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Mayor Warren, although present, did not vote.

The motion carried.

RESOLUTION NO. 2024-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING THE MAXIMUM PROPOSED AD VALOREM TAX RATE; SETTING DATE FOR THE PUBLIC HEARING ON TAX INCREASE; AND SETTING THE DATE CITY COUNCIL WILL ADOPT THE FISCAL YEAR 2024-2025 AD VALOREM TAX RATE.

**H. CITIZENS' COMMENTS**

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

**John Hacker, 16414 Cornwall Street, Jersey Village, Texas (832) 250-3285** – Mr. Hacker spoke to City Council about the power outage from the recent storm. He stated that the trees are causing many of the problems. He would like feet on the street to walk the streets to get data to supply CenterPoint with this information so that CenterPoint can address the issue with the trees and the powerlines. He believes if the trees are not addressed, the City will continue to have power issues.

Mayor Warren stated that one of the first steps concerning storms is for the City to collect this type of information.

**Beverly Peterson, 16522 Cornwall, Jersey Village, Texas (713) 416-0116**: Ms. Peterson spoke to City Council about the pool. She spoke as a resident and not as a member of the Bond Committee upon which she was a member. She stated that our pool is old. She spoke to the project timeline for a new pool. She stated that the timeline from start to finish takes about 10 months and can be planned so that the City pool is not closed for a whole season. She gave information about the condition of the current pool. She believes that it is possible to have a shortened 2025 season for the pool and that construction on the new pool would start in August of 2025. This schedule will allow the swim team to stay in our City as the pool would not be closed for a whole season. She gave details of why she supports this schedule.

**James Singleton, 16522 DeLozier, Jersey Village, Texas (281) 571-3299** – Mr. Singleton spoke to City Council about Wall Street and the many other streets that flooded in the City during the Tax Day Flood, as well as those that flooded in 2001 and 2002. Given these flooding conditions, after the 2016 Tax Day Floods, the City started work on the Long-Term Flood Recovery Plan. The plan completed four months before City Manager Bless started work. The plan laid the groundwork for flood projects. The Golf Course Berm was one of these projects and because of the Long-Term Flood Recovery Plan, the City was able to get a grant to pay for this \$8M project. So, the project was paid in full by the grant. Mr. Singleton went on to explain how the pump at

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the berm works and how it saves the City monies. He thanked all residents who reached out to help each other during the recent storm. He closed by naming those members who were responsible for seeing the berm project through to its end.

**Kimberlee Henao, 15601 Singapore Lane, Jersey Village, Texas (832) 689-9878** – Ms. Henao gave her 34th installment concerning the history of Jersey Village.

**Rick Faircloth, 16010 Lakeview Drive, Jersey Village, Texas (713) 466-8065** – Mr. Faircloth spoke to City Council about the pool bond. He mentioned that he sat in on a few of the Bond Committee's meetings. He stated that at the last meeting, a \$10M pool option was recommended. In connection with this bond election and the one from November of 2023, he would like City Council to exempt those residents over 65 from any tax increase.

**Ashley Holland, 8642 Wyndham Village Drive, Jersey Village, Texas (832) 657-7346** – Ms. Holland spoke to City Council about the pool. She supports the City pool. She believes a pool is great for the City and the children in the City.

#### **I. CITY MANAGER'S REPORT**

City Manager, Austin Bless, gave the following report. Additionally, he stated that we received word about the \$1M request for Congressional Funding. Receiving these funds is in the final stage of approval. He also gave information concerning how the berm was used during the current storm. Six (6) homes in the City are still without power. Also, before the storm the lakes and ponds on the Course were pumped down.

Council encouraged residents to review the drone footage of the berm pumps in action to get an idea how the berm pumps work and how this saved many homes from flooding. Additionally, the Golf Course was able to open two (2) days earlier than surrounding courses due to the pumps success.

Council was extremely happy about residents coming together to clean the City after the storm.

City Manager Bless explained the reasons for the power outages experienced by the City during the storm. CenterPoint Energy is responsible for repairs and maintenance on the City's electrical lines. He stated that he has a meeting set up with CenterPoint in August to discuss strengthening electrical lines in our City.

1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, June Quarterly Investment Report, General Fund Budget Projections, and Utility Fund Budget Projections.
2. Fire Departmental Report and Communication Division's Monthly Report
3. Police Department Monthly Activity Report, Staffing/Recruitment Report, and Police Open Records Requests
4. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report
5. Public Works Departmental Status Report



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6. Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, and Parks and Recreation Departmental Report
7. Code Enforcement Report

**J. CONSENT AGENDA**

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

Each Consent Agenda item appears below with background information. Item 4 was pulled from the Consent Agenda for further discussion. Accordingly, Item 4 contains discussion information as well as Council's vote, if applicable. The vote for Items 1 through 3 are found at the end of the Consent Agenda.

1. **Consider approval of the Minutes for the Special Session and the Regular Session Meetings held on June 17, 2024.**
2. **Consider Resolution No. 2024-57, authorizing the creation of an Employee Benefits Trust; designating all members of the City Council to be trustees of the said Trust; and authorizing the Trust to purchase various forms of insurance for the benefit of the city officers, employees, qualified retirees, and their dependents.**

**BACKGROUND INFORMATION:**

Insurance companies are assessed with a tax on premiums collected from their insured block of business. The obligation for the tax is that of the insurance company, unlike a sales tax in which the obligation is that of the purchaser; therefore, as insurance companies are building their rates, they include the premium taxes along with their administrative cost and the expected claims costs.

The Insurance Code allows insurance companies to exclude certain collected premiums from the gross collected premiums in calculating the tax they owe. One of the exclusions allowed is premiums collected from a trust established by a city. The Comptroller of Public Accounts, who administers the tax rules, has determined that the trusts must exist for the sole purpose of administering the city's health, life, and accident insurance needs. Further, the trusts must only insure the city's employees, retirees, and their dependents. Lastly, for the premiums to be excluded either the premiums collected must be directly from the trust's bank account or the policy must be issued to the trust. The premium tax rate is 1.75%. This tax is embedded in the rates charged by insurance companies.

Currently, the City participates in the TX Health Benefits Pool, which has selected the City's insurance providers as Blue Cross & Blue Shield (BCBS) for medical, Navitus for prescriptions, Standard Life for life and accidental death, Blue Cross Blue Shelf for dental, and EyeMed for vision (Exhibit B ). For the City of Jersey Village to take advantage of the exclusion of the gross premium tax the City would need to create a "Single Non-Profit

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Trust” (SNPT) and name the trustees. Upon approval, a trust agreement would be prepared between the City and the trustees. The City Council would need to approve the SNPT agreement.

If the City Council approves the creation of the “SNPT, staff will open a separate Wells Fargo Bank account specifically for the SNPT (Jersey Village Employee Benefit Trust account) with a beginning balance of \$10 (Exhibit A ). As premiums become due, staff will issue premium payments directly from the newly created SNPT bank account, whereby transferring operating funds when needed from the Wells Fargo Bank Operating account to the Jersey Village City Employee Benefit Trust account to fund these disbursements. Staff recommends that the City Council approve the resolution establishing the City of Jersey Village Employee Insurance Trust Fund, authorizing the Trust Agreement and appointing Trustees for the City of Jersey Village, Texas.

RESOLUTION NO. 2024-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING CREATION OF AN EMPLOYEE BENEFITS TRUST; DESIGNATING ALL MEMBERS OF THE CITY COUNCIL TO BE TRUSTEES OF SAID TRUST; AND AUTHORIZING THE TRUST TO PURCHASE VARIOUS FORMS OF INSURANCE FOR THE BENEFIT OF CITY OFFICERS, EMPLOYEES, QUALIFIED RETIREES, AND THEIR DEPENDENTS.

- 3. Consider Resolution No. 2024-58, authorizing the Cyber Liability and Data Breach Response Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool.**

**BACKGROUND INFORMATION:**

The Board of Directors of the Texas Municipal League Intergovernmental Risk Pool (TML IRP) has taken a forward-thinking approach to the cyber coverage market by creating a new Cyber Fund to handle future cyber liability claims. As this is a new fund it requires any member of the pool to adopt a new interlocal agreement to continue to have cyber coverage.

The city has had several lines of coverage with TML IRP for many decades, including workers compensation, property, and liability insurance. They have been a great partner to the city. We have had cyber coverage with them for many years. This new interlocal would increase the cyber coverage available to the city. It would also increase our liability insurance costs by about \$1,000 per year.

While the city takes a very active approach in defending against cyber-attacks with regular network tests, phishing tests, and training for staff, having access to this coverage in the event it is needed is valuable. The coverage would assist the city with data recovery, breach response, raud protection, network business interruption and more. In talking with other cities that have had to use this coverage they have all agreed that it is incredibly valuable.

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RESOLUTION 2024-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CYBER LIABILITY AND DATA BREACH RESPONSE INTERLOCAL AGREEMENT WITH TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL.

- 4. Discuss and take appropriate action concerning the progress being made by the Owners of the property located at 15830 NW FWY, Jersey Village, Texas to correct the substandard structure at this location.**

**BACKGROUND INFORMATION:**

On January 22, 2024, the City Council conducted a public hearing pursuant to Section 34-253 of the Code, so that the owner or the owner’s representatives for the property located at 15830 NW FWY, Jersey Village, Texas may appear and show cause 1) why such buildings or structures should not be declared to be substandard and 2) why the owner should not be ordered to repair, vacate or demolish the buildings or structures.

After that hearing, City Council passed ordinance 2024-01, finding the structure at 15830 NW FWY, Jersey Village, Texas 77040 to be substandard and a public nuisance.

Since the passage of the Ordinance, the Owner has submitted reports to City Council by way of updating the Council on the progress being made by the owner on the substandard structure.

In accordance with the ordinance, as of this status report, the owner is still in compliance with the ordinance. Tonight, the owner submits the 6th update report.

Community Development Manager Johnson stated that the business owner has approved plans, but work has not yet begun due to bad weather conditions during this past month.

Council discussed this project. It was confirmed that plans have been submitted and approved. Permits are valid for 180 days. Some members wondered when the work will actually begin and if the business owner can continue to pull permits without doing any work. City Attorney Pruitt explained the City’s remedy in this instance.

Item 4 was removed from the consent agenda. The discussion and vote for the removed items 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 Sheppard moved to approve Items 1 through 3 on the Consent Agenda. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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**K. REGULAR AGENDA**

**1. Consider Resolution No. 2024-59, appointing members to the 2024 Charter Review Commission.**

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

Section 9.14 of the city’s Home Rule Charter calls for the appointment of a Charter Review Commission every four years, beginning in July 1996. The last Charter Review Commission was appointed by Council in July of 2020. Council must appoint a Commission for 2024.

To comply with this provision, Council must appoint a Charter Review Commission to review the City Charter for possible amendments. The Charter Review Commission must consist of seven (7) members and three (3) alternate members. In the past, in lieu of the Council liaison, Council has appointed Council Members to serve as alternate members on the Commission. The term of service of the Charter Review Commission is to be six months. This can be extended by Council.

In order to prepare for this item, the following actions were taken to inform residents about the Charter Review process and extend invitation for consideration of applications:

1. A notice was placed in the May, June, and July 2024 JV Star; and
2. A notice was placed on the City’s website.

The following applicants expressed interest in appointment to this Commission:

|                  |                     |
|------------------|---------------------|
| Brian McCauley   | Rick Faircloth      |
| Bruce W. Bowden  | Sean Anger          |
| Denise Reaneau   | Sharon Barclay      |
| Eric Folmer      | Sheila Westmoreland |
| Erik Robertson   | Simon Hughes        |
| Geoff Butler     | Steven Gill         |
| Michael Torigian | William Walker      |
| Edward Lock      | Beatriz Menendez    |
| Ashley Hart      | Judith Tidwell      |

This item is to appoint members to serve on the 2024 Charter Review Commission.

Council engaged in discussion concerning the applicants that are interested in serving on this Commission. Some members felt that there may be some value in re-appointing members who served on the 2020 Charter Review Commission.

Rick Faircloth has served on every Commission since 1996. The Council reviewed the applications and discussed appointments.

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With no further discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2024-59, with the following members appointed to serve on the 2024 Charter Review Commission.

- |    |                  |    |
|----|------------------|----|
| 1  | Rick Faircloth   |    |
| 2  | Denise Reaneau   |    |
| 3  | Simon Hughes     |    |
| 4  | Ashley Hart      |    |
| 5  | Erik Robertson   |    |
| 6  | Sean Anger       |    |
| 7  | Beatriz Menendez |    |
| 8  | William Walker   | A1 |
| 9  | Brian McCauley   | A2 |
| 10 | Sharon Barclay   | A3 |

Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE 2024 CHARTER REVIEW COMMISSION.

- 2. Consider Resolution No. 2024-60, accepting the proposal of group health benefits services and authorizing the City Manager to enter into an agreement with United Healthcare for medical, dental, vision, and Ochs for life insurance AD&D, and long-term disability.**

Laura Capps, Human Resource Manager, introduced the item. Background information is as follows:

To remain competitive with employee Group Health Benefits, the City recently solicited sealed proposals from qualified vendors for Group Health Benefits for medical, dental, vision, life insurance, and long-term disability.

Currently, the City is with the TX Health Pool for these services. However, due to concerns regarding the future of the TX Health Benefits Pool and recent fluctuations in rates, the City opted to solicit sealed proposals from qualified vendors. Last year, a similar process was undertaken, resulting in a Request for Proposal (RFP) for health benefit consultants and healthcare vendors, prompted by similar concerns regarding the TX Health Benefits

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Pool's stability. Despite challenges faced by TX Health, they offered a 13.35% rate decrease, contrasting with widespread rate increases for other pool members, raising questions about the Pool's reliability.

The Request for Proposal (RFP) was submitted to vendors from our Benefits Consultant, HUB International.

The following companies responded to the RFP:

|  |
|--|
| TX Health - Medical, Dental, Vision                          |
| Blue Cross Blue Shield – Medical, Dental                     |
| Cigna – Medical, Dental, Vision                              |
| Aetna – Medical, Dental, Vision                              |
| United Healthcare – Medical, Dental, Vision, Life            |
| Ochs – Life, Long Term Disability                            |
| MetLife – Dental, Vision, Life, Long Term Disability         |
| Mutual of Omaha – Dental, Vision, Life, Long Term Disability |
| New York Life – Life, Long Term Disability                   |
| Renaissance – Dental, Vision, Life, Long Term Disability     |
| Standard – Life, Long Term Disability                        |
| Surency - Vision   |
| SunLife – Dental, Vision, Life, Long Term Disability         |
| Symetra – Life, Long Term Disability                         |

Staff members and HUB International have reviewed the responses in accordance with the following requirements outlined in the RFP:

1. Similarity to the current benefit package
2. Proposed Services
3. Wellness Program
4. Price or cost

Below are the major changes between the current plan and the proposed plan.

**Health Insurance**

- Non-network deductible will increase to \$5,000/\$10,000
- Out of Pocket Max increases to \$4,000/\$8,000
- Physician Office Visits decrease to \$25
- Specialist Visits decrease to \$25/\$50
- Urgent Care decreases to \$50
- Rehab decreases to \$50 – which includes Airrosti
- Pharmacy co-pays decrease for preferred, non-preferred, and preferred specialty drugs to \$40/\$80

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| FINANCIALS             | FTE | TX Health Benefits Pool | UnitedHealthcare |
|------------------------|-----|-------------------------|------------------|
| Employee Only          | 47  | \$749.40                | \$644.70         |
| Employee & Spouse      | 13  | \$1,521.28              | \$1,308.74       |
| Employee & Child(ren)  | 13  | \$1,318.94              | \$1,134.67       |
| Employee & Family      | 26  | \$2,210.74              | \$1,901.88       |
|                        | 99  |                         |                  |
| Monthly Premium        |     | \$129,624               | \$111,514        |
| Annual Premium         |     | \$1,555,487             | \$1,338,169      |
| \$ Change from Current |     |                         | (\$217,318)      |
| % Change from Current  |     |                         | -13.97%          |

**Dental**

- Co-insurance increases to 80%

| DENTAL BENEFITS                    |    | TXHBP              | UHC                 |
|------------------------------------|----|--------------------|---------------------|
|                                    |    | Current            | NEW_31145165_V1 CS0 |
| FINANCIALS                         |    | TXHBP              | UHC                 |
| MONTHLY RATES                      |    | Current            | Proposed            |
| Employee Only                      | 44 | \$40.66            | \$41.49             |
| Employee & Spouse                  | 17 | \$104.42           | \$78.77             |
| Employee & Child(ren)              | 12 | \$104.42           | \$91.59             |
| Employee & Family                  | 28 | \$104.42           | \$129.83            |
| Monthly Premium                    |    | \$7,740.98         | \$7,898.97          |
| Annual Premium                     |    | \$92,891.76        | \$94,787.64         |
| \$ Change from Current             |    | N/A                | \$1,895.88          |
| % Change from Current              |    | N/A                | 2%                  |
| OTHER                              |    |                    |                     |
| Participation Requirements         |    | 100% participation | 100% participation  |
| Employer Contribution Requirements |    | 100%               | 100%                |
| Rate Guarantee                     |    | 12 months          | 2 years             |
| Effective Date                     |    | 10/01/2023         | 10/01/2024          |

**Vision**

- Progressive Lenses subject to co-pay

| VISION BENEFITS                    |      | Eyemed via TXHBP | UHC         |
|------------------------------------|------|------------------|-------------|
| RATES                              |      |                  |             |
|                                    | EE's |                  |             |
| Employee Only                      | 48   | \$8.93           | \$11.34     |
| Employee & Spouse                  | 11   | \$16.97          | \$21.55     |
| Employee & Child(ren)              | 11   | \$17.86          | \$22.68     |
| Employee & Family                  | 30   | \$22.78          | \$28.93     |
| Monthly Premium                    |      | \$1,495          | \$1,899     |
| Annual Premium                     |      | \$17,942.04      | \$22,785.00 |
| \$ Change from Current             |      | N/A              | \$4,842.96  |
| % Change from Current              |      | N/A              | 27%         |
| RATE INFORMATION                   |      |                  |             |
| Participation Requirements         |      | 100%             | 100%        |
| Employer Contribution Requirements |      | 100%             | 100%        |
| Rate Guarantee                     |      | 12 months        | 3 years     |
| Effective Date                     |      | 10/01/2023       | 10/1/2024   |
| AM Best Rating                     |      | N/A              | A+          |

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**Group Life AD&D**

- Increase from \$25,000 to \$50,000 Max Benefit
- Employee Assistance Program Included
- Guaranteed Rate for 3 years

| BASIC LIFE BENEFITS          | The Standard via TXHBP | Ochs        |
|------------------------------|------------------------|-------------|
| <b>FINANCIALS</b>            |                        |             |
| Volume                       | \$2,575,000            | \$5,150,000 |
| EE Rate (per \$1,000) - Life | \$0.194                | \$0.130     |
| EE Rate (per \$1,000) - AD&D | \$0.040                | \$0.040     |
| Monthly Premium              | \$603                  | \$876       |
| Annual Premium               | \$7,231                | \$10,506    |
| \$ Change from Current       | NA                     | \$3,275     |
| % Change from Current        | NA                     | 45%         |

**Long Term Disability**

- Voluntary Life now an option.
- Increase monthly max to \$10,000
- 3 Year rate guarantee

| LTD BENEFITS           | The Standard via TXHBP | Ochs      |
|------------------------|------------------------|-----------|
| <b>FINANCIALS</b>      |                        |           |
| Covered Payroll        | \$604,580              | \$619,245 |
| Rate per \$100         | \$0.261                | \$0.175   |
| Monthly Total          | \$1,578                | \$1,084   |
| Annual Total           | \$18,935               | \$13,004  |
| \$ Change from Current | NA                     | -\$5,931  |
| % Change from Current  | NA                     | -31%      |

Based upon the review of Staff and HUB International, it is recommended that the proposal received from United Healthcare be accepted and that the City Manager be authorized to negotiate the terms of an agreement for Group Health Benefits Services for medical, dental, vision, and the proposal from Ochs be accepted and that the City Manager be authorized to negotiate the terms of an agreement for life insurance, and long-term disability.

The estimated savings for moving from TX Health to United Healthcare and Ochs is an estimated \$250,237 which is about a 14.79% decrease for the 2024-2025 fiscal year. This decrease includes the cost of the employee benefits enrollment system, Benefit Connector, Section 125 FSA/DCA, and the administration of COBRA.

Below are the estimated combined financial results.



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|                                   | TXHBP<br>Current | UHC         | Ochs     |
|-----------------------------------|------------------|-------------|----------|
| Medical                           | \$1,555,487      | \$1,338,169 |          |
| (Implementation Credit - Medical) |                  | -\$35,000   |          |
| Dental                            | \$92,892         | \$94,788    |          |
| (Implementation Credit - Dental)  |                  |             |          |
| Vision                            | \$17,942         | \$22,785    |          |
| Life ADD \$50K                    | \$7,231          |             | \$10,506 |
| LTD \$10K Mo.Max                  | \$18,935         |             | \$13,004 |
| (Ochs Life/LTD)                   |                  | \$23,510    | \$23,510 |
| Total                             | \$1,692,487      | \$1,444,251 |          |
| \$ change                         |                  | -\$248,235  |          |
| % change                          |                  | -14.67%     |          |

| Additional Services - Costs            | Per EE Per Month | Total Mo. | Total Yr. |
|--|------------------|-----------|-----------|
| Benefit Connector - Ben Admin (100 EE) | \$5.00           | \$500     | \$6,000   |
| Section 125 FSA/DCA (25EE)             | \$3.50           | \$87.50   | \$1,050   |
| COBRA (paid by HUB w/ Ben Connect      | \$0              | \$0       | \$0       |
|  |                  |           | \$7,050   |

\*LTD subject to change based on benefit amount increasing to \$10K

Council engaged in discussion about group benefits for the City’s employees. Council clarified that the costs would decrease. Ms. Capps explained the decrease. She also explained the coverage and that there is minimal change from this year’s coverage.

The deductible will stay the same. The out of network was \$3,000 and \$6,000 and will increase to \$4,000 and \$8,000. Council was very impressed with this proposal.

With no further discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2024-60, accepting the proposal of group health benefits services and authorizing the City Manager to enter into an agreement with United Healthcare for medical, dental, vision, and Ochs for life insurance AD&D, and long-term disability. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING THE PROPOSAL OF GROUP BENEFIT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH UNITED HEALTHCARE FOR MEDICAL, DENTAL, VISION, AND OCHS FOR LIFE INSURANCE, AND LONG-TERM DISABILITY.

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**3. Consider Resolution 2024-61, accepting the Recommendation of the Bond Committee and directing the next steps for a Bond Election.**

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

During the March 2024 Council Meeting, Bond Committee appointments were made with the purpose of analyzing the feasibility of recommending to Council that they call an election for the purpose of passing General Obligation Bond authorizations. Such analysis shall include examining what projects shall be recommended for placement before the voters for the consideration as well as recommending bond amounts and an issuance timing schedule.

Staff worked to schedule the first meeting as quickly as possible hosting the first meeting in April and hosted a total of 10 meetings between April and July.

The Bond Committee held several meetings to discuss various City projects and gather community feedback. The first meeting discussed all potential areas in need of improvement ranging from water and wastewater facilities, community facilities, and park improvements. The committee made the determination they wanted to focus on the city pool. Key discussions included the renovation of the city pool, where several citizens expressed opinions on repair versus replacement, the estimated costs, and the need for a bond issue. There was a consensus on the importance of the pool to the community, despite differing opinions on the best approach to address its condition.

The Committee also highlighted the need for comprehensive assessments and community involvement. They examined past expenditures and discussed the allocation of funds for upcoming projects, stressing the significance of fiscal responsibility and transparency. The necessity of updating the bond project website with current information was emphasized to keep the community informed and engaged.

A town hall meeting was held May 13<sup>th</sup> to highlight Councilman-Hunsaker's initial pool assessment and to gather feedback from residents that they then took into their concept creation. After the initial review of the concepts, the Committee requested the Z shape concept be added to the presentation along with an estimate. One with 6 lanes and one with 8 was created and included in the revised assessment.

Five pool concepts were presented and discussed in detail, attached in Exhibit A. Discussions went back and forth discussing the pros and cons of each as the Committee debated between a Z shaped pool priced in the 7-million-dollar range and the third concept estimated at 10.1 million dollars. Value engineering options were discussed, and the budgets were reviewed in depth. It was highlighted that these were just conceptual ideas not set in stone and they can be modified slightly with minimal budget impact. Pool amenities such as splash features, slides, heater/chiller and diving boards were discussed as well as their potential prices ranging from 25,000 to 300,000 max (tall two slide tower) and it was highlighted that represents a maximum of 3% of the total project so changing

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those out would not impact the budget significantly. The pool budget estimates hold allocations for pool amenities within them to ensure they served feedback from residents.

Upon completion of the final meeting the Committee shared their opinions on the concepts with 5 in favor of concept 2 and two in favor of the Z shaped concept. It was discussed that there would still need to be some minor design manipulation to ensure concept 3 serves the majority and addresses all community desires. It is the desire of the Committee to call the election and establish a timeline that results in minimal downtime of pool operations. The Committee also asked that the Council consider placing additional maintenance funds towards the pool that would allow the pool to remain operational for one more season in 2025.

The Committee motioned to recommend concept three with a vote of 5 for and 2 against.

The Resolution that is included in the meeting packet will accept the recommendation of the Committee, declare the Committee's work complete and the Committee disbanded, and direct staff to take the necessary steps to call a bond election for November.

Council engaged in discussion about the recommendation of the Committee. The Council thanked the Committee for their hard work.

Some members wanted to know why the final vote was not unanimous. Assistant City Manager Basford stated that two members wanted to keep the budget lower by recommending the V-Shaped pool with some modifications from the \$7.8M cost.

One Council Member stated that she has heard from residents that there is some \$20M in the City's coffers for the City to use on projects. City Manager Bless stated that at the end of FY 2023-24 there will be \$7.4M in the fund balance, and with the required 90-day reserve of some \$5M, that leaves only \$2.4M. He went on to say if one adds all the fund balances that make up the City's budget, it would be about \$17M, but each fund balance is committed to certain expenses so one cannot add all these amounts together in order to pay for a large expenditure. Mr. Bless went on to explain why we need to have a 90-day reserve as well as the various expenses that can only be spent for various expenses.

There were questions about keeping the pool open. City Manager Bless stated that it would cost approximately \$178K to keep the pool open during the 2024-2025 season. He stated that should City Council want to keep the pool open with creative scheduling there would still be a missed season on the back end for the swim team. Council engaged in discussion about possible maintenance issues and the cost of same. If there are big/major issues, repair costs could explode. It was pointed out that the maintenance budget for the 2023-24 budget was spent even before the pool opened this season. Because of these unexpected costs City Council decided to close the pool at the close of the 2023-2024 season.

There was discussion concerning the \$10M bond and if City Council was willing to reduce this number. Some members stated that just because we bond for \$10M does not mean we

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will spend \$10M. Accordingly, it is best to err on the side of caution for setting the amount of the bond at \$10M.

The proposed recommendation made by the Bond Committee was favored by most members of City Council.

There was discussion about the current location of the pool in that it is located inside the flood plain. City Manager Bless explained that the cost of building inside the flood plain will not be a major increase to the cost of this project.

Flooding of the pool over the years was discussed. The elevation of the pump house is critical.

With no further discussion on the matter, Council Member Sheppard moved to approve Resolution 2024-61, accepting the Recommendation of the Bond Committee and directing the next steps for a Bond Election. Council Member Mitcham seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING THE RECOMMENDATION OF THE BOND COMMITTEE AND DIRECTING THE NEXT STEPS FOR A BOND ELECTION.

**4. Consider Resolution No. 2024-62, closing the Jersey Meadow Golf Club Bridge to vehicular traffic.**

Robert Basford, Assistant City Manager, introduced the item. Background information is as follows:

**Previous Agenda Background:**

As we approach the final stages of construction for the new Golf Course Clubhouse, our focus has shifted towards renovating existing structures. Staff have planned the operation of both buildings, revisiting the necessity of closing the bridge to vehicular traffic for enhanced operational efficiency and safety.

With the expansion of our facility and the growing popularity of the golf course, there is a pressing need to optimize traffic flow within the parking lot for both safety and convenience. Vehicular traffic counts in 2018 revealed an average of 1,300 on weekdays and 744 cars per weekend day crossing the bridge, many of which are simply passing through. We have seen a rise in the number of golfers steadily over the last 5 years.

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Closing the bridge to vehicular traffic will enable golf carts to utilize it, while also providing a designated lane for pedestrian access, facilitating movement to additional parking across the bayou. The upcoming additions of a restaurant and convention center are expected to draw larger crowds, and this measure will alleviate congestion, ensuring a more enjoyable experience for patrons. There is the potential that there will often be activity in the restaurant and the convention center all while a full field of golfers are present.

This permanent closure of the bridge was requested during the November 13<sup>th</sup>, 2023, Golf Advisory Board meeting and it was formally placed on the agenda to discuss and vote on a closure recommendation during the March 11, 2024, meeting. The Committee mentioned that it is a good idea given that the new construction plans will attract additional attendance. The Committee doesn't want to create barriers to potential events due to excessive pass-through traffic and congestion. The Committee officially recommends the bridge be closed to vehicular traffic with 6 voting in favor and 1 against.

**Updated Information:**

Council requested the opportunity to gather information from residents, tabling the decision temporarily. Staff created a survey to gather feedback and the results have been presented in Exhibit A. It is important to note that approximately 45 of the 324 responses came from nonresidents. The only alternative that received 50% in favor was the one referencing two dedicated right turn lanes from Village Green Drive to Jones Road.

To aid in the discussion here is a bit of the history of the golf course bridge.

The bridge at the golf course was originally built when the course was privately owned. The course had 9 holes and other golf amenities on the north side of the bayou. The bridge was necessary to get golf carts, mowers, and other equipment to that side of the course. In 2000 the City bought the course. A portion of the north nine holes were purchased by Harris County Flood Control District (HCFCD) to be used for a detention pond. The other portion of the nine holes and remaining golf amenities on the north side were sold to a private developer and turned into a housing development, now the Lakes of Jersey Village.

The bridge is approximately 30 years old. While it has had some inspections over the years it does not receive the same bridge inspections that are done by TXDOT of the other bridges in the City, as it is not a public road.

When the City purchased the golf course, Jersey Meadow Drive did not exist. According to the City Council minutes on March 18, 2022, the City Council authorized the "construction of an asphalt driveway to connect Jersey Meadow Golf Course with Jersey Meadow Drive" at a cost of \$16,000.

When Jersey Meadow Drive was put in and the whole area was connected in approximately 2004 that is when the cut through traffic in that area began.

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That asphalt driveway has had some repairs done over the years, but it is not built to the standards of a typical street. That has been confirmed in speaking with former councilors that this driveway connection was just more about putting asphalt down, than building a street. As is readily apparent to people that have gone over it, it was not built to withstand the amount of traffic that it would typically receive when the bridge was open.

Although the City Council approved the change order and budget amendment for the clubhouse in June, the construction project remains incomplete. Additionally, we are not yet ready to open the bridge.

Council engaged in discussion about the proposal to close the bridge as well as the responses to the study results concerning this bridge.

Some members stated that they are concerned about safety in connection with this bridge and as such, the bridge should be closed to vehicular traffic. Some members wanted to know if we have an evacuation plan for residents in this area should the bridge be closed permanently. City Manager Bless explained possible egress routes should there be a time when residents would need to leave the City.

Some felt that this is not a roadway, rather it is a parking lot and there is a risk to the City with the increased pedestrian traffic in the area due to the new clubhouse. This area is very busy even with the bridge closed. Over the years, the number of people moving through this area has increased tremendously.

The pros and cons of closing this bridge were discussed in depth, especially safety issues versus convenience. We must prioritize safety over convenience.

The two turn lanes on Village Green were discussed. Other low-cost solutions to decrease the traffic build-up on Village Green was discussed, to include retiming the lights between the hours of 6:30 and 8:30 in both the morning and evening.

With no further discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2024-62, closing the Jersey Meadow Golf Club Bridge to vehicular traffic. Council Member McCrea seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CLOSING THE JERSEY MEADOW GOLF CLUB BRIDGE TO VEHICULAR TRAFFIC.

- 5. Consider Resolution No. 2024-63, receiving the Planning and Zoning Commission's Final Report concerning the request of Senate Avenue Pharmacy LLC through its**

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**owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F.**

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

The Planning and Zoning Commission met on June 4, 2024, to discuss and take appropriate action concerning the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F.

The Commission recommended in its preliminary report, which was submitted to Council at its June 17, 2024, meeting, that Council grant the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F. Additionally, the Commission requested that a Joint Public Hearing be ordered for July 15, 2024.

On July 15, 2024, the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

With limited discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2024-63, receiving the Planning and Zoning Commission's Final Report concerning the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2024-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT CONCERNING THE REQUEST OF SENATE AVENUE PHARMACY LLC THROUGH ITS OWNER, LAURA SMITH WILLIAMS, FOR A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A RETAIL PHARMACY LOCATED AT 7412 SENATE AVENUE, JERSEY VILLAGE, TX 77040 WITHIN THE CITY LIMITS IN ZONING DISTRICT F.

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- 6. Consider Ordinance No. 2024-20, amending the Comprehensive Zoning Ordinance of the City, by granting Senate Avenue Pharmacy, LLC, a Specific Use Permit (the “Specific Use Permit”) to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, Texas, 77040, and in “Zoning District F”; providing requirements and conditions for the specific use permit; containing findings and other provisions relating to this ordinance; providing a penalty in an amount not to exceed two thousand dollars (\$2,000) for violations hereof; providing for severability; and, providing an effective date.**

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

The Planning and Zoning Commission met on June 4, 2024, to discuss and take appropriate action concerning the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F.

The Planning and Zoning Commission submitted its preliminary report to Council on June 17, 2024, and a Joint Public Hearing was ordered for July 15, 2024.

On July 15, 2024, 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 concerning the request of Senate Avenue Pharmacy LLC through its owner, Laura Smith Williams, for a specific use permit to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, TX 77040 within the city limits in zoning District F.

With limited discussion on the matter, Council Member McCrea moved to approve Ordinance No. 2024-20, amending the Comprehensive Zoning Ordinance of the City, by granting Senate Avenue Pharmacy, LLC, a Specific Use Permit (the “Specific Use Permit”) to allow the operation of a retail pharmacy located at 7412 Senate Avenue, Jersey Village, Texas, 77040, and in “Zoning District F”; providing requirements and conditions for the specific use permit; containing findings and other provisions relating to this ordinance; providing a penalty in an amount not to exceed two thousand dollars (\$2,000) for violations hereof; providing for severability; and, providing an effective date. Council Member Rossi seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2024-20



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AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS (THE “CITY”), AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, BY GRANTING SENATE AVENUE PHARMACY, LLC, A SPECIFIC USE PERMIT (THE “SPECIFIC USE PERMIT”) TO ALLOW THE OPERATION OF A RETAIL PHARMACY LOCATED AT 7412 SENATE AVENUE, JERSEY VILLAGE, TEXAS, 77040, AND IN “ZONING DISTRICT F”; PROVIDING REQUIREMENTS AND CONDITIONS FOR THE SPECIFIC USE PERMIT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THIS ORDINANCE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR VIOLATIONS HEREOF; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

**L. MAYOR AND COUNCIL COMMENTS**

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

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or 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 Mitcham**: Council Member Mitcham thanked the Mayor for the opening prayer. She thanked all for the interest in wanting to serve on the Charter Review Commission.

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

**Council Member Wasson**: Council Member Wasson echoes Council Member Mitcham’s comments about participation. He thanked Staff for their efforts during the recent Storm and mentioned that having debris pickup within one week is spectacular.

**Council Member Rossi**: Council Member Rossi thanked the Bond Committee for their hard work. She also thanked staff for their work. She congratulated Captain Missall for his recent award.

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**Council Member McCrea:** Council Member McCrea told residents that she had been out of the country for the past three weeks. While she was away, she did not have to worry about her home because her neighbors took care of her family. She is very thankful. It is just an example of the type of Community that we live in.

**Bobby Warren:** Mayor Warren echoes everything said. The support in the Community makes our City special. He thanked City Staff for their hard work. He thanked Congressman Wesley Hunt's Office for their assistance with storm issues, especially with CenterPoint.

**M. RECESS THE REGULAR SESSION**

Mayor Warren recessed the Regular Session to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.072 – Deliberations about Real Property, and Section 551.071 – Consultations with Attorney at 9:10 P.M.

**N. EXECUTIVE SESSION**

- 1. Pursuant to the Texas Open Meetings Act Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, a closed meeting to deliberate the potential and possible purchase, exchange, sale, or value of real property, located within TIRZ 3.**
- 2. Pursuant to the Texas Open Meeting Act Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney a closed meeting to deliberate information about the possible purchase, exchange, or value of real property, related thereto.**

**O. ADJOURN EXECUTIVE SESSION**

Mayor Warren adjourned the Executive Session at 9:46 p.m., stating no official action or vote was conducted during the closed session. He then reconvened the Regular Session as follows.

**P. RECONVENE REGULAR SESSION**

- 1. Discuss and take appropriate action on items discussed in the Executive Session regarding the potential and possible purchase, exchange, sale, or value of real property, located within TIRZ 3.**

Austin Bless, City Manager, stated that this item is for City Council to take any action resulting from the discussions had in Executive Session regarding the potential and possible purchase, exchange, sale, or value of real property, located within TIRZ 3.

With limited discussion on the matter, Council Member McCrea moved to approve Resolution 2024-64, as discussed in Executive Session. Council Member Sheppard seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

**2. Discuss and take appropriate action on items discussed in the Executive Session regarding the potential and possible purchase, exchange, sale, or value of real property, related thereto.**

Austin Bleess, City Manager, stated that this item is for City Council to take any action resulting from the discussions had in Executive Session regarding the potential and possible purchase, exchange, sale, or value of real property, related thereto.

No action was taken on this item. No discussion was had.

**Q. ADJOURN**

There being no further business on the agenda the meeting was adjourned at 9:47 p.m.

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Lorri Coody, TRMC, City Secretary

