

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 21, 2017 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 Ray at 7:07 p.m. with the following present:

Mayor, Justin Ray

Council Member, Andrew Mitcham

Council Member, Greg Holden

Council Member, Bobby Warren

Council Member, Sheri Sheppard

Council Member, Gary Wubbenhorst

City Manager, Austin Bleess

City Secretary, Lorri Coody

City Attorney, Leah Hayes

Staff in attendance: Eric Foerster, Chief of Police; Mark Bitz, Fire Chief; Isabel Kato, Finance Director; and Kevin T. Hagerich, Public Works Director.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

- 1. Prayer and Pledge by Pastor Vern Howard, Foundry United Methodist Church.**

C. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

- 1. Receive the adopted fiscal year 2017-2018 budget from the Jersey Village Crime Control and Prevention District (CCPD).**

Council received submission of the 2017-2018 fiscal year approved budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through the Board's Secretary, Lorri Coody.

- 2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District's budget for the fiscal year 2017-2018.**

Mayor Ray opened the public hearing at 7:10 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2017-2018 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 Ray called upon Chief of Police, Eric Foerster, to give a summary of the 2017-2018 JVCCPD budget. Chief Foerster explained that the budget being presented includes the following 2017-2018 supplementals:

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JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT
SUPPLEMENTAL EXPENDITURES
FY 2017-2018

	50-27-3523 Other Equipment	50-27-5805 Supplies	50-27-6572 Special Equipment	50-27-6573 Computer Equipment	50-27-6598 Equipment Purchase Contribut	50-27-5523 Crime Control Personnel	50-27-6580 Repairs Police Building	TOTAL
Taser Supplies	\$ 3,000.00							\$ 3,000.00
Radar Unit	\$ 4,000.00							\$ 4,000.00
Handheld AFIS	\$ 2,600.00							\$ 2,600.00
Medical Supplies		\$ 1,000.00						\$ 1,000.00
Lydar		\$ 3,500.00						\$ 3,500.00
COBAN			\$ 193,000.00					\$ 193,000.00
Patrol Vehicles				\$ 56,000.00				\$ 56,000.00
Crime Control Personnel					\$ 152,319.00			\$ 152,319.00
Video Surveillance System 18 cameras Police Department			\$ 6,450.00					\$ 6,450.00
Police Department Network Storage			\$ 3,000.00					\$ 3,000.00
Police Department Building Repairs						\$ 33,000.00		\$ 33,000.00
Total	\$ 9,600.00	\$ 1,000.00	\$ 3,500.00	\$ 202,450.00	\$ 56,000.00	\$ 152,319.00	\$ 33,000.00	\$ 457,869.00

With no one signing up to speak on the 2017-2018 JVCCPD budget, Mayor Ray closed the public hearing at 7:11 p.m. and called the next item on the agenda.

3. Consider Resolution No. 2017-60, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2017-2018.

With no discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2017-60, adopting the Jersey Village Crime Control and Prevention District’s Budget for fiscal year 2017-2018. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2017-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,
TEXAS, APPROVING THE FISCAL YEAR 2017-2018 CRIME CONTROL AND
PREVENTION DISTRICT BUDGET

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 presentation is on the agenda, the City staff and City Council Members are prevented from discussing the subject

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and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their presentation to the City Council.

Fred Ziehe, 8409 Hawaii Lane, Jersey Village, Texas (713) 870-4162 – Mr. Ziehe spoke to the bypass and the slope of the bypass. He presented City Council with several pictures showing the bypass. He stated he has a video of the flow but also presented “still” shots. He explained each slide and how the water flowed from the storm on August 8, 2017 and concluded that the lack of flow was not what he expected. The Dannenbaum Report shows 48 percent of the flow goes into the bypass. Harris County Flood Control says the bypass should take about 1/3rd of the flow. He stated that the design is responsible for the slow flow.

Laurel Calkins, 16001 Wall Street, Jersey Village, Texas (713) 466-1122 – Ms. Calkins told City Council that she is looking forward to the flood study discussions. She is interested in the plan for moving forward and the type of public funding that is available for the proposed projects. She also told City Council that she would like information on how homes were chosen for the “buy out” and elevation programs. Ms. Calkins also spoke to the Jersey Village Crossing lawsuit and expressed her desire to know what is paid for a settlement in this case.

Tammy Sanford, 15314 Philippine Street, Jersey Village, Texas (281) 808-1906 – When called to speak, Ms. Sanford chose not to speak at this time.

Trey Sanford, 15314 Philippine Street, Jersey Village, Texas (281) 808-1906 – When called to speak, Mr. Sanford chose not to speak at this time.

Frank Maher, 16514 St. Helier Street, Jersey Village, Texas (713) 376-3151 – Mr. Maher spoke to City Council about the Taylor Road facility. He stated that this facility needs to be replaced and sited the following reasons:

1. The facility has no public sewer;
2. It floods;
3. It is located on the other side of US HWY 290, and most work is on this side of US HWY 290;
4. It is a safety hazard and a waste of time for staff to move equipment back and forth from the south side of US HWY 290; and
5. When a storm is forecasted, equipment is staged on the north side of US HWY 290.

Because of these reasons, Mr. Maher believes that a new location for this facility is needed. He presented Council with several alternative locations and asked that these locations be considered as they are better choices for locating this facility.

Joshua Butler, 1200 Post Oak Blvd. #2611, Houston, Texas 77056 (713) 805-8185 – Mr. Butler told City Council that he is a candidate for the US Congress in Texas’ 7th District. He introduced himself and told City Council that he has visited with several Jersey Village residents in order to learn what is needed for this community. He believes it is time for all government to be more proactive concerning flooding. He is a candidate on the democratic ticket.

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Michael Brown, 16025 Wall Street, Jersey Village, Texas (713) 937-3123 – Mr. Brown is disappointed that City Council will not fund channel improvements. He felt that the TIRZ appointment notice could have been posted in more places in order to better inform residents. He spoke to the flooding of homes and golf course spending. He prefers a detention pond over a berm at the golf course, and he is not in favor of the club house remodeling project.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 553-8625 – Mr. Maloy expressed his concerns with the flood study final report. He does not believe the report's findings that the expansion of US HWY 290 and the future development of Jersey Crossing are not going to increase flooding for Jersey Village residents on the south side of US HWY 290. He also voiced several questions concerning flooding to the Council and noted that he has asked these questions on several occasions and has had no response.

E. CLOSE THE REGULAR SESSION

Mayor Ray closed the Regular Session at 7:38 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071– Consult with Attorney.

F. EXECUTIVE SESSION

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding Cause No. 1061305; *Jones Road Holding Ltd. vs. City of Jersey Village, Texas*; County Civil Court at Law No. 2, Harris County, Texas.**
- 2. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding Cause No. 1074704; *Jones Road Project Ltd. vs. City of Jersey Village, Texas*; County Civic Court at Law No. 3, Harris County, Texas.**

G. ADJOURN EXECUTIVE SESSION

Mayor Ray adjourned the Executive Session at 8:02 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

H. CITY MANAGER'S REPORT

City Manager Bless gave his report as follows:

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – June 2017, General Fund Budget Projections as of July 2017, and Utility Fund Budget Projections – July 2017**
- 2. Open Records Requests – Non-Police**
- 3. Fire Departmental Report and Communication Division's Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Staffing/Recruitment Report, and Police Open Records Requests**
- 5. 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**

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6. **Public Works Departmental Report and Construction and Field Projects Update**
7. **Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, Golf Course Social Media Summary Report, and Parks and Recreation Departmental Report**
8. **Report from Code Enforcement**
9. **City Social Media Summary Report**

I. 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.

1. **Consider approval of the Minutes for the Regular Session Meeting held on July 17, 2017 and the Work Session Meetings held on July 18, 2017 and July 19, 2017.**
2. **Consider Resolution No. 2017-61, authorizing the City Manager to execute a one (1) year contract extension with Wells Fargo Bank for depository services.**
3. **Consider Resolution No. 2017-62, authorizing the City Manager to renew the interlocal agreement with Harris County Public Health Services for animal control services for a one (1) year period beginning October 14, 2017 and ending October 13, 2018.**

Council Member Mitcham moved to approve items 1 through 3 on the consent agenda. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

J. REGULAR AGENDA

1. **Discuss and take appropriate action regarding matters discussed in Executive Session concerning Cause No. 1061305; *Jones Road Holding Ltd. vs. City of Jersey Village, Texas* and Cause No. 1074704; *Jones Road Project Ltd. vs. City of Jersey Village, Texas.***

Austin Bless, City Manager, introduced the item. The City Council has heretofore met in Executive Session to discuss with the City Attorney the following items:

- F1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding Cause No. 1061305; *Jones Road Holding Ltd. vs. City of Jersey Village, Texas*; County Civil Court at Law No. 2, Harris County, Texas. *City Attorney***

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- F2.** Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 regarding Cause No. 1074704; *Jones Road Project Ltd. vs. City of Jersey Village, Texas*; County Civic Court at Law No. 3, Harris County, Texas. *City Attorney*

This item is to consider action, if any, on the items discussed in Executive Session.

With limited discussion on the matter, Council Member Warren moved to approve the settlement in Cause No. 1061305; *Jones Road Holding Ltd. vs. City of Jersey Village, Texas*, in the amount of \$85,000.00; to authorize the City Manager and the City Attorney to finalize non-substantive settlement agreement terms and conditions; and to authorize the City Manager to execute the final agreement documents on behalf of the City of Jersey Village. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

- 2. Consider Resolution No. 2017-63, receiving the Long-Term Recovery Plan developed by Dannenbaum Engineering Corporation for the purpose of reducing the impact of flooding in Jersey Village.**

Kevin T. Hagerich, Director of Public Works, introduced the item. Background information is as follows: On August 15, 2016, City Council, in adopting Resolution 2016-32, approved a contract for consulting services with Dannenbaum Engineering Corporation to develop a Long-Term Recovery Plan for the City of Jersey Village.

Phase I of the study included: (1) Citizen input; (2) Surveying; and (3) Gathering of available data.

Phase II included: (1) Rapid Assessment; (2) H&H Modeling; (3) Non-structural Alternatives (Buyouts, Home Elevation, Demolition/Rebuild); and (4) Structural Alternatives (Bridge Improvements, Channel Improvements E100-00-00 and E127-00-00, Golf Course Detention, Bypass Improvements).

Phase III included: (1) Preferred Solution Modeling; (2) Benefit-Cost Estimates; (3) Funding Sources Research; and (4) Final Report Preparation.

This Agenda item is to receive the Long-Term Recovery Final Report as prepared by Dannenbaum Engineering Corporation.

With limited discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2017-63, receiving the Long-Term Recovery Plan developed by Dannenbaum Engineering Corporation for the purpose of reducing the impact of flooding in Jersey Village. Council Member Holden seconded the motion. The vote follows:

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Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2017-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE LONG-TERM RECOVERY PLAN DEVELOPED BY DANNENBAUM ENGINEERING CORPORATION FOR THE PURPOSE OF REDUCING THE IMPACT OF FLOODING IN JERSEY VILLAGE.

3. Discuss and take appropriate action regarding the Long-Term Recovery Plan submitted by Dannenbaum Engineering in order to determine the next course of action for the Flood Recovery Operations.

Kevin T. Hagerich, Director of Public Works, introduced the item. Background information is as follows: On August 15, 2016, City Council, in adopting Resolution 2016-32, approved a contract for consulting services with Dannenbaum Engineering to develop a Long-Term Recovery Plan for the City of Jersey Village.

On August 21, 2017 the City Council have received the Long Term Recovery Plan from Dannenbaum Engineering.

This agenda item is to discuss the Long-Term Recovery Plan submitted by Dannenbaum Engineering in order to determine the next course of action for Flood Recovery Operations.

In connection with same, Staff recommends that the City request Dannenbaum Engineering to provide a Statement of Qualification for Professional Services that includes a Scope of Work and Cost Estimates for the Berm Project (CIP) and merges into the scope of work the following projects:

- 1) Golf Course Irrigation Project (CIP)
- 2) Fence (P&R Funding)
- 3) Latrine Relocation (P&R Funding)

Council discussed Staff's recommendation. There was discussion about channel improvements and how these improvements are affected by Harris County Flood Control District (HCFCD) who will not permit improvements until all the work has been done downstream. It was pointed out that HCFCD does not need to approve the berm that is proposed for the Jersey Meadow Golf Course.

There was discussion about the process for moving forward with Staff's recommendation. City Attorney Hayes explained that the Government Code permits a Statement of Qualifications and a Statement of Work on this type of work without going out for bid. However, the proposer must give a Statement of Qualifications. Staff's recommendation

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to continue with Dannenbaum will save money since they already have an understanding of what is needed. Additionally, it was pointed out that the City Engineer will oversee Wall Street reconstruction. The money for both the berm and Wall Street has been appropriated in the 2017-2018 City Budget.

Council also discussed the timeline for these projects. Staff explained that the berm will be constructed first and then the Wall Street improvements.

Mayor Ray explained that if all four (4) components outlined in the Flood Plan Study are met for a 100 year flood event, fewer homes will flood. Accordingly, City Council has budgeted the berm and Wall Street construction as a first step.

Council discussed the home elevation and buy out programs. City Manager Bless briefly outlined the steps involved in the process and stated that these projects will be considered on a future agenda. He also explained how the homes were selected for these programs.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Staff's recommendation that the City request Dannenbaum Engineering to provide a Statement of Qualification for Professional Services that includes a Scope of Work and Cost Estimates for the Berm Project (CIP) and merges into the scope of work the following projects:

- 1) Golf Course Irrigation Project (CIP)
- 2) Fence (P&R Funding)
- 3) Latrine Relocation (P&R Funding)

Council Member Warren seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

- 4. Consider Resolution No. 2017-64, setting the maximum proposed ad valorem tax rate; setting dates for any necessary public hearings on the proposed tax rate; and setting the date City Council will adopt the fiscal year 2017-2018 ad valorem tax rate.**

Isabel Kato, Finance Director, introduced the item. Background information is as follows: During the 2013 Legislative Session, SB 1510 was passed which requires that municipalities change the notice requirements for the truth in taxation process.

In the past, municipalities were required to publish multiple notices at different stages/dates during the truth in taxation process. These notices included the Notice of Effective and Rollback Tax Rates, the Notice of Public Hearings on Tax Increase, and Notice of Tax Revenue Increase.

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SB 1510 combined all the notices into one notice. However, the new law requires that the new notice be published in the City's Official Newspaper not later than September 1. Since meeting the September 1 deadline proved problematic for some cities, HB1953 was passed during the 2015 Legislative Session. HB 1953 provides that the notice is to be published not later than the later of September 1 or the 30th day after the first date that the taxing unit has received its certified appraisal rolls. The effective date of HB 1953 is January 1, 2016.

Nonetheless, since the very first sentence of the new notice states "A tax rate of \$ _____ per \$100 valuation has been proposed for adoption by the governing body," 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 2017-2018, as that will be accomplished during the October 16, 2017 meeting. Approving the Resolution merely states that City Council will not exceed a tax rate of 0.742500 cents per \$100 taxable value. Additionally, the vote approving the Resolution must be a record vote.

With no discussion on the matter, Council Member Mitcham moved to approve Resolution No. 2017-64, setting the maximum proposed ad valorem tax rate; setting dates for any necessary public hearings on the proposed tax rate; and setting the date City Council will adopt the fiscal year 2017-2018 ad valorem tax rate. Council Member Wubbenhorst seconded the motion. The record vote follows:

Council Member Mitcham:	Aye
Council Member Holden:	Aye
Council Member Warren:	Aye
Council Member Sheppard:	Aye
Council Member Wubbenhorst:	Aye

The motion carried:

RESOLUTION NO. 2017-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING THE MAXIMUM PROPOSED AD VALOREM TAX RATE; SETTING DATES FOR ANY NECESSARY PUBLIC HEARINGS ON PROPOSED TAX RATE; AND SETTING THE DATE CITY COUNCIL WILL ADOPT THE FISCAL YEAR 2017-2018 AD VALOREM TAX RATE.

- 5. Consider Ordinance No. 2017-31, amending the Code Of Ordinances of the City of Jersey Village, Texas, by amending Article II Hotel Occupancy Tax, Section 62-41 "Definitions", and Section 62-42 "Levy rate", increasing the tax levied within the City to seven percent, and providing for a levy and collection of a two percent Hotel Occupancy Tax within the City's extraterritorial jurisdiction; providing a severability clause; and providing a penalty as provided by section 1-8 of the Code.**

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Austin Bless, City Manager, introduced the item. Background information is as follows: In 1984, City Council adopted Ordinance No. 84-30, which added Chapter 62, Article II, HOTEL OCCUPANCY TAX, to provide for the levy and collection of hotel occupancy taxes at a rate of four percent (4%). It did not provide for collection in the City's extra territorial jurisdiction.

This item it to increase the hotel occupancy tax levied to seven percent (7%) and provide for levy and collection of hotel occupancy taxes in our extra territorial jurisdiction at the rate of two percent (2%).

With limited discussion on the matter, Council Member Holden moved to approve Ordinance No. 2017-31, amending the Code Of Ordinances of the City of Jersey Village, Texas, by amending Article II Hotel Occupancy Tax, Section 62-41 "Definitions", and Section 62-42 "Levy rate", increasing the tax levied within the City to seven percent, and providing for a levy and collection of a two percent Hotel Occupancy Tax within the City's extraterritorial jurisdiction; providing a severability clause; and providing a penalty as provided by section 1-8 of the Code. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2017-31

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING ARTICLE II HOTEL OCCUPANCY TAX, SECTIONS 62-41 "DEFINITIONS", AND SECTION 62-42 "LEVY;RATE", INCREASING THE TAX LEVIED WITHIN THE CITY TO SEVEN PERCENT, AND PROVIDING FOR A LEVY AND COLLECTION OF A TWO PERCENT HOTEL OCCUPANCY TAX WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE.

6. Consider Resolution No. 2017-65, authorizing the conversion to LED Street Lights in Jersey Village and authorizing the City Manager to execute all contract documents necessary to accomplish the same.

Austin Bless, City Manager, introduced the item. Background information is as follows: We have the opportunity to convert the streetlights in Jersey Village to LED Street Lights. CenterPoint Energy will convert existing street lights to LED for which satisfactory replacements are available. The City will continue to pay the same monthly maintenance rates as the existing high pressure sodium, metal halide, and mercury vapor lighting. However, customers will see 40-50% reduction in energy consumption. For example, an

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underground 100W HPS street light costs \$12.92/month to maintain and consumes 38KWH per month. The replacement underground 45W LED street light costs \$12.92/month to maintain, but only consumes 17KWH per month. When fully converted to LED Street lights our monthly costs should go from approximately \$2,500 per month to \$1,500 per month, savings of approximately \$12,000 a year.

CenterPoint may request recovery of the expenses associated with converting the lights to LED through either a distribution capital recovery factor application under Public Utility Commission of Texas Substantive Rule 25.243 or other rate proceeding. The exact method and duration for the recovery has not been determined, so they are unable to provide the future cost. Typically, it is a small charge applied to every customer's bill for a defined time-period. Once the costs are collected, the charge is removed.

The schedule is for two years due to the 300+ decorative lights. We do not have an LED substitute for them yet, but this should allow time.

With limited discussion on the matter, Council Member Warren moved to approve Resolution No. 2017-65, authorizing the conversion to LED Street Lights in Jersey Village and authorizing the City Manager to execute all contract documents necessary to accomplish the same. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2017-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CONVERSION TO LED STREET LIGHTS IN JERSEY VILLAGE AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL CONTRACT DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

7. Consider Resolution No. 2017-66, authorizing the City Manager to enter into a contract with Clark Condon Associates for the Wayfinding/Branding Master Plan.

Austin Bless, City Manager, introduced the item. Background information is as follows: In 2016 the City of Jersey Village adopted a Comprehensive Plan. This plan was the result of hours of community input and involvement and identified recommendations and strategies that would shape the future of the City. Community character was identified as a high priority in the Comprehensive Plan. The purposes of the Jersey Village Wayfinding, and Branding Master Plan are as follows:

- 1) To implement the following concepts defined in Chapter 7 of the City of Jersey Village 2016 Comprehensive plan:

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- a. Highlight the City’s image as a special community by enhancing the visual character of the city’s commercial areas and community entrances.**
 1. Improve the character of corridor character throughout the community.
 2. Improve the City’s entrances with landscaping and monumentation.
 3. Prepare a landscape master plan for the design of City entrances with a consistent, identifiable character.
 4. Create a sense of place and maximize the visual appeal of the Highway 290 corridor.
 5. Design and implement Hwy 290 gateways according to TxDOT standards to highlight the entrance to the City.
- b. Preserve, protect, and enhance the city’s identity and sense of community by implementing wayfinding improvements throughout the city.**
 1. Create a consistent, identifiable signage design throughout the city.
 2. Conduct a wayfinding signage master plan to explore potential thematic signs unique to the City to include street signs, directional, and facility signs.
- c. Upgrade City’s logo and branding.**
 1. Explore potential logo application to proposed city entrance signage.

The City of Jersey Village advertised Requests for Qualifications (RFQ) for this project and received responses from six qualified landscape architecture firms. City staff from different departments reviewed the proposals independently and unanimously chose Clark Condon Associates for their relevant experience, quality and proposed work plan.

The original proposal brought forward by City staff at the June meeting was discussed and then brought to a workshop in July where the scope was reduced from the original proposal. The Parks & Recreation Department has received a revised proposal from Clark Condon Associates, which features the scope items broken down by cost. The proposal includes four items including A) Project start-up, visioning workshop and public engagement; B) Improved Gateways and Entrances; C) Wayfinding/Signage and; D) Final Presentations and Booklet.

Although Clark Condon has refined the scope and reduced the fees accordingly, the proposal exceeds the original supplemental amount by \$5,000 plus reimbursable expenses; however funds are available to cover the additional costs.

Should Council choose to reduce the proposed fees to meet the supplemental amount, a scope item would need to be removed. If City Council would like to reduce the scope, staff recommends that item “C, wayfinding and signage” be eliminated given that item “B, improved gateways and entrances” is the item that City Council stresses as the most important. This would reduce the contract amount to \$41,000 plus reimbursable expenses.

Council engaged in discussion. The original proposal which was approximately \$150,000 was reduced down to \$60,000. The Council discussed the removal of certain items, including the logo from the scope. Some felt it might be wise to delay wayfinding until a

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new logo has been designed and approved. Other members did not want to delay this project. This prompted further discussion about the logo design, which was initially too expensive so it was excluded from this scope of work. Staff pointed out that should the Council wish to move forward with the logo work, it will need to be handled separately. Some members felt that a whole branding package may not be necessary and that the current logo only needed to be updated/improved. Council also discussed signage design. Some felt that signage must also be taken into consideration with the logo design. Staff will review the logo and bring back to City Council at a later date if necessary.

With no further discussion on the matter, Council Member Warren moved to approve Resolution No. 2017-66, authorizing the City Manager to enter into a contract with Clark Condon Associates for the Wayfinding/Branding Master Plan. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2017-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CLARK CONDON ASSOCIATES FOR THE WAYFINDING/BRANDING MASTER PLAN.

8. **Consider Resolution No. 2017-67, authorizing the City Manager to negotiate a contract with GolfNow for point of sale technology, after hour's phone answering services, website development, and electronic on-line booking and tee sheets for Jersey Meadow Golf Course.**

Austin Bleess, City Manager, introduced the item. Background information is as follows: The Jersey Meadow Golf Course uses a contractor for point of sale technology, after hour's phone answering services, website development, and electronic on-line booking and tee sheets. The current three-year contract, with EZ Links terminates in August of this year. The Golf Course pays for this service with two "trade times" per day.

A single "Trade Time" is defined as four (4) individual 18-hole rounds (with cart) per day or one hundred twenty (120) individual 18-hole rounds (with cart) per month made available for sale by the contractor for its own benefit. Jersey Meadow Golf Course sets parameters on the trade times such as the lowest cost and times of day that trade times are made available. These times are not necessarily times that would have been booked otherwise.

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The Jersey Meadow Golf Course has received a proposal from GolfNow for similar services in exchange for two “trade times” per day. In addition, GolfNow will reimburse the Golf Course up to \$10,000 for any technology modifications that need to be made. The IT Administrator is recommending that technology modifications be made in order to improve the Golf Course system, which will be covered by the \$10,000. There are no additional costs to the City for services. After speaking with GolfNow about their contract terms, they agree with removing the auto-renewal portion of their contract as requested by City Council. Jersey Meadow is already working with GolfNow to sell tee times through their system for the exchange of one trade time per day. This trade time has led to the generation of \$130,875 in revenue since May 2016. We are not able to tell from the data if these are new players or existing players. The proposed agreement adds one additional trade time.

At the June City Council meeting, the Parks & Recreation Department was asked to provide the City Council additional information on a “cash option” in order to aid in the decision making process for this contract. For the same services listed above, GolfNow would charge a setup fee of approximately \$11,000 and a monthly fee of approximately \$2,250 per month (\$27,000 per year). In addition, there will need to be some network changes made by the IT Department, which will cost approximately \$10,000. The total first year budgetary impact will be \$48,000 and subsequent years would be \$27,000 per year. This amount would need to be added as a supplemental in next year’s budget as there are not budgeted funds to cover this expense. There may be some offset in income from rounds, but golf course staff do not anticipate they will cover the full cost of the system.

Jersey Meadow Golf Course believes that the trade time option is more beneficial than the cash option because most of the rounds being traded are weekday rounds, which may have not been sold.

The Parks & Recreation Department requests that City Council discuss the options and authorize the City Manager to negotiate a contract with GolfNow based on those discussions.

Council engaged in discussion about the GolfNow Services. Some members wanted to know how many rounds are booked on-line under the current contract and how much did that cost. Basically the charge for the service is eight (8) rounds per day. This led to discussion about the criteria for how the times are being traded. Staff explained that the goal is to sell rounds that are not booked. The utilization rate with GolfNow is 45 to 60 percent. Some members were concerned that the GolfNow rounds would be sold first.

With no further discussion, Council Member Wubbenhorst moved to approve Resolution No. 2017-67, authorizing the City Manager to negotiate a contract with GolfNow for point of sale technology, after hour’s phone answering services, website development, and

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electronic on-line booking and tee sheets for Jersey Meadow Golf Course. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2017-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH GOLFNOW FOR POINT OF SALE TECHNOLOGY, AFTER HOUR'S PHONE ANSWERING SERVICES, WEBSITE DEVELOPMENT, AND ELECTRONIC ON-LINE BOOKING AND TEE SHEETS FOR JERSEY MEADOW GOLF COURSE.

- 9. Consider Resolution No. 2017-68, authorizing the City Manager to enter into a contract with Brown & Root, in the amount of \$32,037.00, for the removal and complete replacement of a 7-ton air conditioning unit at City Hall.**

Austin Bleess, City Manager, introduced the item. Background information is as follows: The large air-conditioning unit in the oldest part of City Hall is not working. One of the outside condenser units has failed completely and, as a result, the unit is only providing half of the cooling power and putting additional load on the other working unit. The air handler in the ceiling above the public works admin is an older unit and is not working well. Additional, temporary units have been added to try to maintain a level of comfort for employees and visitors.

This project has not been budgeted for this fiscal year. However, \$30,000 remains unspent in the facilities account that was earmarked for a facility study and assessment. Because City Council does not want to undertake the facility study and assessment, City staff recommends using those dollars for the air conditioner this fiscal year instead of budgeting it for next fiscal year. There is a total of \$36,144 in that line item that remains unspent.

Accordingly, staff has obtained a proposal from Brown & Root for the removal and complete replacement of the 7-ton air conditioning unit at City Hall in the amount of \$32,037.00. This proposal includes adding an access point in the hallway for more convenient maintenance as well as redirecting the ducts for a more efficient system.

The proposed vendor is currently listed as a National IPA contractor (contract #R160402), and the City of Jersey Village participates in the National Intergovernmental Purchasing Alliance.

Council engaged in limited discussion about buy board contracts versus local quotes. They also discussed and reviewed the scope of work. With no further discussion on the matter,

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Council Member Sheppard moved to approve Resolution No. 2017-68, authorizing the City Manager to enter into a contract with Brown & Root, in the amount of \$32,037.00, for the removal and complete replacement of a 7-ton air conditioning unit at City Hall. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

RESOLUTION NO. 2017-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BROWN & ROOT, IN THE AMOUNT OF \$32,037.00, FOR THE REMOVAL AND COMPLETE REPLACEMENT OF A 7-TON AIR CONDITIONING UNIT AT CITY HALL.

- 10. Consider Ordinance No. 2017-32, amending Chapter 70, Utilities, Article IV Telecommunications, and Chapter 58 Streets, Sidewalks and Other Public Places, of the City Code Of Ordinances; updating the City's Right of Way Management Ordinances; regulating the physical use, occupancy and maintenance of the City's rights-of-way by telecommunications service and wireless network providers; providing procedures for applications for permits; establishing time periods for approval of permit applications; providing permit fees and public rights-of-way rental rates; requiring land use approval prior to placement of network nodes and node support poles in parks, residential areas, historic areas, underground areas and design areas; adopting a design manual under Chapter 284 of The Texas Local Government Code; and providing a savings clause.**

Kevin T. Hagerich, Director of Public Works, introduced the item. Background information is as follows: The City of Jersey Village has previously adopted rules pertaining to the use of the City's public rights-of-way by telecommunications providers.

Since the state legislature recently passed rules applying to the use of public rights-of-way by wireless network providers, it is necessary to update our regulations to be consistent with the newly enacted Chapter 284 the Texas Local Government Code.

At the time of agenda posting, the proposed Ordinance for this item is still being drafted. The final draft of the proposed Ordinance will be presented for Council's review as soon as it is available. In the meantime, a paper outlining the Wireless Facilities Regulation in 2017 was included in the meeting packet.

City Attorney Hayes explained that SB 1004 establishes Chapter 284 of the Texas Local Government Code. It limits the authority of a city to regulate wireless facilities installed in city rights-of-way. It also sets maximum right-of-way rental fees, permit fees, and time

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limits for processing permit applications. Under the new regulations, the City's general regulations of wireless facilities in rights-of-way must be designed to protect the public health and safety or to prevent interference with existing utilities, and the City cannot require zoning or other land use approvals except in designated areas. The designated areas include:

1. Undergrounding areas;
2. Historic areas;
3. Design areas with decorative poles; and
4. Parks & residential areas next to streets less than 50 feet in width.

She finished by stating Chapter 284 allows a City to adopt a design manual, but the design specifications must be objective, nondiscriminatory, and adopted prior to a permit application for wireless facilities. Design specifications for regular rights-of-way should be based on a health and safety concerns. Design criteria for designated areas may include aesthetic concerns, but are most defensible when they are design criteria applied to any structures placed in the right-of-way in that area. It does not allow a city to prohibit wireless facilities completely from any area of the city.

Council discussed the amendments that will eliminate Chapter 70 of the City's Code of Ordinances. City Attorney Hayes explained that this elimination is being proposed because it is the best approach and permits the new regulations to be rewritten under Chapter 58. She also stated that the fee structure has not changed. She told City Council about the team that worked on drafting this Ordinance and the process resulting in what was presented for Council's review this evening.

With no further discussion on the matter, Council Member Wubbenhorst moved to approve Ordinance No. 2017-32, amending Chapter 70, Utilities, Article IV Telecommunications, and Chapter 58 Streets, Sidewalks and Other Public Places, of the City Code Of Ordinances; updating the City's Right of Way Management Ordinances; regulating the physical use, occupancy and maintenance of the City's rights-of-way by telecommunications service and wireless network providers; providing procedures for applications for permits; establishing time periods for approval of permit applications; providing permit fees and public rights-of-way rental rates; requiring land use approval prior to placement of network nodes and node support poles in parks, residential areas, historic areas, underground areas and design areas; adopting a design manual under Chapter 284 of The Texas Local Government Code; and providing a savings clause. Council Member Mitcham seconded the motion. The vote follows:

Ayes: Council Members Mitcham, Holden, Warren, Sheppard, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2017-32

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AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 70, UTILITIES, ARTICLE IV TELECOMMUNICATIONS, AND CHAPTER 58 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, OF THE CITY CODE OF ORDINANCES; UPDATING THE CITY'S RIGHT OF WAY MANAGEMENT ORDINANCES; REGULATING THE PHYSICAL USE, OCCUPANCY AND MAINTENANCE OF THE CITY'S RIGHTS-OF-WAY BY TELECOMMUNICATIONS SERVICE AND WIRELESS NETWORK PROVIDERS; PROVIDING PROCEDURES FOR APPLICATIONS FOR PERMITS; ESTABLISHING TIME PERIODS FOR APPROVAL OF PERMIT APPLICATIONS; PROVIDING PERMIT FEES AND PUBLIC RIGHTS-OF-WAY RENTAL RATES; REQUIRING LAND USE APPROVAL PRIOR TO PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN PARKS, RESIDENTIAL AREAS, HISTORIC AREAS, UNDERGROUND AREAS AND DESIGN AREAS; ADOPTING A DESIGN MANUAL UNDER CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING A SAVINGS CLAUSE.

11. Discuss and take appropriate action regarding the City's Public Works Facility located at 12424 Taylor Road, Houston, Texas 77041.

Kevin T. Hagerich, Director of Public Works, introduced the item. Background information is as follows:

The City Council met on August 21, 2017 at 6 PM at the City's Public Works facility located on Taylor Road in order to tour the facility.

During the tour, the Council discussed the following needs concerning the remodel for the Taylor Road Facility:

1. One (1) service bay at least 45' in length to house the City's largest fire truck;
2. Four (4) Offices;
3. One (1) Training Room; and
4. Latrines with showers.

In addition to the needs for this facility, Council also discussed the following remodel issues concerning the present location for the facility:

1. The facility's slab must be elevated;
2. Detention for drainage must be addressed; and
3. Fire sprinklers/alarms.

Council engaged in discussion about alternate locations for the facility as presented during the public comment section of this agenda. Some members felt that these locations should be reviewed by Staff. Others believed that the current location is acceptable because of visibility issues concerning the equipment that is housed at the facility.

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Discussion was had regarding fire suppression systems and at what size building they become a requirement. Chief Bitz told Council that 12,000 square foot buildings must have fire suppression and smaller buildings would need a fire alarm system.

Council also discussed the need to optimize the space for the facility, suggesting that perhaps locations on this side of US HWY 290 could be utilized to eliminate the need to travel back and forth with equipment.

Council closed the discussion directing staff to report to City Council at the September 18 meeting with a proposal outlining costs.

12. Discuss and take appropriate action concerning implementation of additional measures from the Traffic Calming Plan.

Bobby Warren, Council Member, introduced the item. Background information is as follows: On April 25, 2016, City Council considered the following two (2) items in connection with the Phase II Final Report of the Traffic Calming Plan prepared by Gunda Corporation:

G1. Consider Resolution No. 2016-11, receiving the Phase II Final Report of the Traffic Calming Plan, prepared by Gunda Corporation, pertaining to existing traffic conditions and analysis thereof.

G2. Discuss and take appropriate action regarding the Traffic Calming Plan prepared by Gunda Corporation, pertaining to existing traffic conditions and analysis thereof.

This item has been requested by Council Member Warren in order to discuss implementation of additional measures from the Traffic Calming Plan.

Council Member Warren told Council that he has been approached by several residents with concerns about traffic. In response to these concerns, he wanted to discuss if there is a need to implement additional measures outlined in the Traffic Calming Plan. One concern is the US HWY 290 construction. Council discussed the process of the study and the town hall meetings that were conducted in conjunction with the study. During this process Council learned that speed bumps were not favorable and that there would be more cut through traffic with the US HWY 290 construction. They also learned that the traffic problem was not so much a cut through traffic problem, rather it was a speed problem. To address the speed, speed signs were erected and it has helped.

It was the consensus of Council that cut through traffic is from the construction on US HWY 290 and that we should wait until this project is complete and then reassess if additional measures are needed.

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13. Consider Resolution No. 2017-69, appointing members to serve as Directors on the Tax Increment Reinvestment Zone Board for the City of Jersey Village Tax Increment Reinvestment Zone No. 2.

Austin Bless, City Manager, introduced the item. Background information is as follows: On July 17, 2017, City Council created Tax Increment Reinvestment Zone No. 2 along with an advisory board of directors to assist City Council in the operation and administration of the Zone.

The Tax Increment Reinvestment Zone Board shall consist of seven (7) Directors, as follows:

1. Five (5) Directors shall be appointed by the City Council; and
2. Two (2) Directors shall be appointed by the County Commissioners Court.

Director seats appointed by the County Commissioners Court are contingent on the County's participation in the Zone. If the County does not participate, or ceases participation, their seats on the board shall be filled by the City Council. In order to serve on the Board a person must be 18 years of age and be a resident of Harris County or own property in the TIRZ regardless of residency.

The City's initial Director appointments shall be: (1) three Directors for a term expiring December 31, 2018; and (2) two Directors for a term expiring December 31, 2017. Thereafter, Directors shall serve two (2) year terms beginning January 1.

The authority and responsibility of the Board expressly includes:

- Make recommendations to the city council regarding the administration of the Zone.
- Make recommendations to the city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- Make recommendations to the city council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.
- Make recommendations to the city council regarding the expenditure of TIF Fund Number 2 funds related to development and redevelopment of land within the zone, in conformance with the following process.
- Acting as the lead entity in working with other boards and commissions regarding incentives, regulations, infrastructure, and all other physical and economic development decisions related to the Zone.
- Providing a progress report to the city council annually, or as requested by the city council.

This item is to appoint Directors to serve on this Board.

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After the introduction, Mayor Ray called for a slate of five (5) candidates for appointment. Accordingly, Council Member Sheppard named the following slate:

Ty Camp and James Travis Singleton, Jr. for the term expiring December 31, 2017; and Ceri Davies, Jeff Butler, and James McDonald for the term expiring December 31, 2018.

Council Member Mitcham named the following slate:

James Travis Singleton, Jr. and Simon Hughes for the term expiring December 31, 2017; and Geoff Butler, James McDonald and Ty Camp for the term expiring December 31, 2018.

With no other slates being named, Council Member Wubbenhorst moved to approve for appointment those named in the slate presented by Council Member Sheppard. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Warren, Sheppard, and Wubbenhorst

Nays: Council Members Holden and Mitcham

The motion carried.

RESOLUTION NO. 2017-69

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. 2.

K. 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.

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Council Member Warren: Council Member Warren thanked Kimberly Terrell for all her hard work and wished her well in her new position with the City of Sugarland.

Council Member Holden: Council Member Holden did not have any comments.

Council Member Mitcham: Council Member Mitcham did not have any comments.

Council Member Sheppard: Council Member Sheppard thanked Staff for all their hard work.

Council Member Wubbenhorst: Council Member Wubbenhorst thanked Staff for all their hard work.

Mayor Ray: Mayor Ray thanked Chief Bitz for all his hard work and for the pride that he and his volunteers take in the Department. He told Chief Bitz he is proud that the equipment is well maintained and for the manner in which they serve the City. He also thanked Staff and City Council for their hard work on the Settlement Agreement for Jersey Crossing.

L. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:40 p.m.

Lorri Coody, City Secretary