

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 19, 2011 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 Hamley at 7:03 p.m. with the following present:

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Bobby Gervais
Council Member, Harry Beckwith III, PE	
Council Member, Mark Maloy	
Council Member, Jill Klein	

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

Michael Brown, Director of Parks and Recreation was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. **Prayer by: Chris Hunter, Boy Scout Troop 1944**
2. **Pledge by: Alex Williamson, Boy Scout Troop 1944**

C. PROCLAMATIONS

1. **Proclamation recognizing Tuesday, October 4, 2011 as National Night Out in Jersey Village to provide a unique opportunity for the City of Jersey Village to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts.**

Mayor Hamley read the proclamation and presented it to Officer Arthur Pettitt of the Jersey Village Police Department.

D. FISCAL 2011-2012 MUNICIPAL BUDGET ITEMS

1. **Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2011-2012.**
 - a. **Receive presentation pertaining to the City of Jersey Village municipal budget for fiscal year 2011-2012.**

Mayor Hamley opened the public hearing at 7:05 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2011-2012 Municipal budget. He advised those in attendance that City Manager Castro would give a short presentation concerning the municipal budget and then public comments would be had.

City Manager Castro gave his presentation which included information on the following topics:

- Short Term Issues
- Long Term Issues
- Revenues Vs. Expenditures Graph 2002 thru 2011

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

- Revenues and Expenditures, including Supplementals
- Projected General Fund Revenue Graph for FY 2012
- Assessed Valuations – FY 04 through FY 11
- Property Tax Rate
- Sales Tax Trend – FY 07 through FY 11
- Franchise Fees, Service Fees, and Fines
- Supplementals
- Compensation
- Utility Fund
- Budget Calendar

In completing his presentation, City Manager Castro fielded questions concerning the audit process and answered accordingly.

With no one signing up to speak, Mayor Hamley closed the public hearing at 7:32 p.m.

2. Discuss and take appropriate action concerning any final changes to the proposed 2011-2012 Municipal Budget.

City Manager, Mike Castro presented the item. He reminded Council of the budget changes discussed at the September 12, 2011 Work Session Meeting, which included:

- a) General Fund Expenditure of \$56,000 for the Golf Course asphalt repair; and
- b) General Fund Expenditure of \$14,000 for carpet at the Golf Course Club House.

In addition to these revisions, Mr. Castro explained that staff requests that Council consider a change to the 2011-2012 Utility Fund budget in the amount of \$42,000 in order to contract for consulting services to perform a water and wastewater rate study. A proposal from Red Oak Consulting Services for the rate study was included for Council's review in the meeting packet.

Mr. Castro explained that should the \$42,000 be approved as part of the 2011-2012 budget, the City Manager will need authorization to enter into a contract for these consulting services. Since authorization to contract must be considered **after** approval of the 2011-2012 budget, a contract approval item has been included as part of the Regular Session portion of this agenda.

Council engaged in limited discussion about the total amount for each of these items. City Manager Castro explained that \$70,000 was for the General Fund and \$42,000 was for the Utility Fund. With no further discussion on this item, Council Member Beckwith moved to include these items in the 2011-2012 municipal budget. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

The motion carried.

3. Consider Ordinance No. 2011-34, adopting the City of Jersey Village municipal budget for fiscal year 2011-2012.

Finance Director, Isabel Kato explained that Section 102-007 of the Local Government Code requires that upon conclusion of the public hearing on the municipal budget, Council shall take action on the proposed budget.

She explained that Council has held the public hearing on the proposed budget for fiscal year 2011-2012 and the proposed budget has been filed with the City Secretary. Accordingly, Mrs. Kato recommends that the budget be adopted, along with the changes discussed in item D2 of this agenda.

Council Member Maloy explained that Council does not take a record vote for every line item to be included in the budget; rather the budget is approved as a whole by the majority of Council. In light of the process, Council Member Maloy stated that he does not support pay increases for staff nor does he support the \$30,000 item for a consultant to assist with preparing a “tear down” Ordinance.

With no further discussion on the matter, Council Member Berube moved to approve Ordinance No. 2011-34, adopting the municipal budget for fiscal year 2011-2012. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, and Klein

Nays: Council Member Maloy

The motion carried.

ORDINANCE NO. 2011-34

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011; MAKING APPROPRIATIONS AS REFLECTED IN SAID BUDGET; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

4. Consider Resolution No. 2011-53, receiving the Jersey Village Tax Assessor’s statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code, acknowledging there is no need for the two public hearings identified in Section 26.05(d), and setting October 17, 2011 at 7:00 PM as the date and time to adopt the proposed tax rate.

Finance Director, Isabel Kato explained that Section 26.04 of the Tax Code requires that the Jersey Village Tax Assessor:

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

- Submit the appraisal roll showing the total appraised, assessed, and taxable values of all property and the total taxable value of new property for the City of Jersey Village;
- Certify the current year estimated collection rate and the amount of debt taxes collected in previous year in excess of the current year's anticipated amount of collections; and
- Calculate and submit the effective tax rate and rollback tax rate.

Mrs. Kato explained that this item accomplishes these tasks. She also explained since this year's proposed tax rate (.7425) does not exceed the effective tax rate, it is not necessary to conduct two public hearings and the motion to adopt the ordinance setting the tax rate does not require the language about "tax increase" as stated in Section 26.05(b) of Property Tax Code.

Mrs. Kato explained that the Tax Code in Section 26.05 requires a taxing unit to adopt its tax rate by the 60th day after the unit receives the certified appraisal roll. The City of Jersey Village received the certified appraisal roll on August 25, 2011; which means that the tax rate should be adopted before October 25, 2011.

Council Member Erskine moved to approve Resolution No. 2011-53, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under section 26.04 of the Tax Code; acknowledging there is no need for the two public hearings identified in the Tax Code at Section 26.05(d); and setting October 17, 2011 at 7:00 p.m. as the date and time to adopt the proposed tax rate. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2011-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE JERSEY VILLAGE TAX ASSESSOR'S STATUTORY CERTIFICATIONS, SUBMISSIONS, AND CALCULATIONS UNDER SECTION 26.04 OF THE TAX CODE; ACKNOWLEDGING THERE IS NO NEED FOR THE TWO PUBLIC HEARINGS IDENTIFIED IN THE TAX CODE AT SECTION 26.05(D); AND SETTING OCTOBER 17, 2011 AT 7:00 PM AS THE DATE AND TIME TO ADOPT THE PROPOSED TAX RATE.

E. CITIZENS COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council Members are prevented from

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

discussing the subject 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.

With no one signing up to speak during Citizens Comment, Mayor Hamley called upon the City Manager to give his monthly report.

F. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. The items below were included. In addition, Mr. Castro told Council that Kimberly Maldonado, Communications Supervisor for the City, passed away on September 14, 2011. He expressed his appreciation for her service to the City and he thanked Council for permitting staff to sponsor a fund raiser on her behalf.

Council engaged in discussion about the Red Light Camera Report, wherein Chief Forester answered questions concerning same.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, and Budget Projections as of August 2011**
- 2. Open Records Request and Solicitor’s Permit Requests**
- 3. Fire Departmental Report and Communication Division’s Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, Crime Prevention Unit Monthly Report, and Staffing/Recruitment Report**
- 5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report**
- 6. Public Works Departmental Report, Jones Road Construction Up-Date Detail Report, and Jones Road Construction Update Summary**
- 7. Combined Monthly and Annual Mileage Report**
- 8. Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
- 9. Report from Code Enforcement**
- 10. Capital Improvements Projects Report**
- 11. White Oaks Bayou Capital Improvements Projects Report**

G. CONSENT AGENDA

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

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

1. **Consider approval of the Minutes for the Regular Session Meeting held on August 15, 2011 and the Work Session Minutes from the meeting held September 12, 2011.**
2. **Consider Resolution No. 2011-54, appointing a City Health Officer.**

RESOLUTION NO. 2011-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING CITY HEALTH OFFICER.

3. **Consider Ordinance No. 2011-35, amending the city's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 in the amount of \$6,100, to cover cost associated with codifying the Form Based Code Ordinance 2011-25 approved May 23, 2011.**

ORDINANCE NO. 2011-35

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, TO COVER COST ASSOCIATED WITH CODIFYING THE FORM BASED CODE ORDINANCE 2011-25 APPROVED MAY 23, 2011; AND PROVIDING FOR SEVERABILITY.

4. **Consider Ordinance No. 2011-36, allowing a budgetary amendment in the amount of \$12,000 to cover the costs associated with wear and tear on the A/C units at the police, fire, and city hall buildings due to the extreme heat conditions.**

ORDINANCE NO. 2011-36

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, IN THE AMOUNT OF \$12,000 TO COVER THE COSTS ASSOCIATED WITH WEAR AND TEAR ON THE A/C UNITS DUE TO THE EXTREME HEAT CONDITIONS; AND PROVIDING FOR SEVERABILITY.

6. **Consider Ordinance No. 2011-38, amending the city's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 in the amount of \$6,000 in order to compensate for increases in the collection fee payments made to Specialized Billing.**

ORDINANCE NO. 2011-38

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 IN THE AMOUNT OF \$6,000 IN ORDER TO COMPENSATE FOR INCREASES IN THE COLLECTION FEE PAYMENTS MADE TO SPECIALIZED BILLING; AND PROVIDING FOR SEVERABILITY.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

7. **Consider Ordinance No. 2011-39, amending the city’s budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 by transferring \$1,000 from the Volunteer Fire Reserve Fund account 1-10-9804 to the Fire Department Expenditure account 1-25-5412 to help offset costs in the Kimberly Maldonado benefit.**

ORDINANCE NO. 2011-39

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY TRANSFERRING \$1,000 FROM THE VOLUNTEER FIRE RESERVE FUND ACCOUNT 1-10-9804 TO THE FIRE DEPARTMENT EXPENDITURE ACCOUNT 1-25-5412 TO HELP OFFSET COSTS IN THE KIMBERLY MALDONADO BENEFIT; AND PROVIDING FOR SEVERABILITY.

8. **Consider Ordinance No. 2011-40, amending the city’s budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 by transferring \$500 from the Volunteer Fire Reserve Fund account 1-10-9804 to the Fire Department Expenditure account 1-25-5412 to help offset costs associated with flowers sent for funerals and ill members.**

ORDINANCE NO. 2011-40

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 IN THE AMOUNT OF \$500 IN ORDER TO TRANSFER FUNDS FROM ACCOUNT 1-10-9804 TO 1-25-5412 TO HELP OFFSET COSTS ASSOCIATED WITH FLOWERS SENT FOR FUNERALS AND ILL MEMBERS; AND PROVIDING FOR SEVERABILITY.

9. **Consider Resolution No. 2011-55, reviewing and approving the investment policy and investment strategies used for city funds in compliance with the Texas Government Code.**

RESOLUTION NO. 2011-55

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, REVIEWING AND APPROVING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES USED FOR CITY FUNDS IN COMPLIANCE WITH THE TEXAS GOVERNMENT CODE.

Council Member Beckwith moved to approve items 1 through 4 and items 6 through 9 on the consent agenda. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

The motion carried.

Mayor Hamley then called item (5) on Consent for consideration as follows:

- 5. Consider Ordinance No. 2011-37, amending the city’s budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 in the amount of \$9,000, allowing for the transfer of funds from the city’s utility fund to line item 02-45-5412, Water Authority Fees.**

Danny Segundo, Public Works Director, explained that this budget amendment will allow for the increased cost associated with operating the city’s water wells. During periods of high demand, (early mornings and nights) West Road water plant will turn on and help maintain pressure throughout the water distribution system. Currently, the City is experiencing drought conditions which have caused a high demand for water used to irrigate lawns and landscaping. During peak demand hours the City has to utilize its West Road Water Plant to help with the increased demand. Thus, our fees for the North Harris County Regional Water Authority have increased.

Council engaged in discussion about the use of the City’s West Road Water Plant in order to supplement the water being purchased from the City of Houston. Mr. Segundo explained that during peak demands, the West Road Water Plant is used so residents will not experience fluctuations in water pressure. Mr. Segundo also told Council that high peak times are marked by water usage exceeding 2.0 million gallons a day. Currently, residents are using 2.6 million gallons a day.

With no further discussion on this item, Council Member Erskine moved to approve Ordinance No. 2011-37, amending the city’s budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 in the amount of \$9,000, allowing for the transfer of funds from the city’s utility fund to line item 02-45-5412, Water Authority Fees. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2011-37

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 IN THE AMOUNT OF \$9,000, ALLOWING FOR THE TRANSFER OF FUNDS FROM THE CITY’S UTILITY FUND TO LINE ITEM 02-45-5412, WATER AUTHORITY FEES; AND PROVIDING FOR SEVERABILITY.

H. REGULAR AGENDA

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

- 1. Consider Resolution No. 2011-56, authorizing advertisement for Request for Proposals for employee group benefits should there be an increase in Texas Municipal League Intergovernmental Employee Benefits Pool's re-rate numbers of 7% over the current medical premiums for either plan.**

Karen Farris, Human Resource Generalist, introduced the item. She explained that at the time the agenda for this item was posted, re-rate numbers were not available. However, since posting, the City has learned that the Texas Municipal League is projecting a 3% increase for the employee "High Plan" and no increase for the employee "Standard Plan."

She introduced Consultant Dick Hillyer who addressed Council. He gave the historical background concerning the City's insurance coverage for health benefits. He stated that there have been some up and down years, but it has always been staff's goal to keep costs under control.

During the past 2 and ½ years with TML, the City experienced a 10% reduction in cost when TML was initially brought on board. Since that time, claims have been reasonable and positive. There was a 4% increase in claims last year, and the information for this year looks positive as the loss ratio is 65%. As a result, Consultant Hillyer does not recommend that the City go out for bid.

Council engaged in discussion about how the 7% threshold for going out to bid is determined. City Manager Castro explained that this number is applied based upon past experience.

Council also discussed the "down side" in going out for bids at this time. Consultant Hillyer explained that in his experience it is best to only go out for bid when it is necessary to do so, not when you are just looking and have no intention of changing carriers.

With no further discussion on this item, Council Member Erskine moved to approve Resolution No. 2011-56, authorizing advertisement for Request for Proposals for employee group benefits should there be an increase in Texas Municipal League Intergovernmental Employee Benefits Pool's re-rate numbers of 7% over the current medical premiums for either plan. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2011-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,
TEXAS, AUTHORIZING ADVERTISEMENT FOR REQUEST FOR PROPOSALS

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

FOR EMPLOYEE GROUP BENEFITS IF THERE IS AN INCREASE IN TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL'S RE-RATE NUMBERS of 7% OVER THE CURRENT MEDICAL PREMIUMS FOR EITHER PLAN.

2. Consider Resolution No. 2011-57, authorizing the City Manager to enter into a contract with Red Oak Consulting Service for Water and Wastewater Rate and Financial Planning Study.

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

In August of 2010, the City of Houston discovered an error in the manner by which they were billing Jersey Village for water consumption. The City of Houston had been consistently under-billing Jersey Village for water the city received under its wholesale contract. An analysis conducted by city staff determined the amount of under-billing to be approximately 13.65 percent (by volume). As currently structured, the city's water rate will not be sufficient to meet ongoing expenses in the Utility Fund. Staff feels that it is imperative to adopt a correct rate structure as soon as possible, to insure the solvency of the Utility Fund. In light of the foregoing issues, staff met with Jennifer Ivey and Trent Slovek, representatives of Red Oak Consulting, to discuss consulting services in connection with the performance of a water/wastewater rate study.

Red Oak Consulting was contacted for this service because of their experience in performing the 2009 Water and Wastewater Rate Study for the City of Houston. Their performance was highly recommended by the City of Houston Public Works Department who remains extremely satisfied with work product presented to their city in connection with the rate study.

As a result of these issues, and in accordance with City Council's instructions following the Budget review meeting on September 12, 2011, City Staff has invited Red Oak Consulting to make a presentation to City Council concerning their abilities and services.

Jennifer Ivy with Red Oak Consulting gave a presentation which included information on the following:

1. Principle Objectives of Rate Design and Cost-of-Service Study
2. Cornerstones of a Defensible User Charge System
3. Steps in a Cost-of-Service Study
4. Three Forms of Equity
 - a) Inter class Equity
 - b) Intra class Equity
 - c) Intergenerational Equity
5. Collaborative approach with focus on Bottom Line

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

In completing the presentation, Council engaged in discussion about the timeliness of this study keeping in mind that the City anticipates going to “smart meters” sometime in the future. The concern was that the study would be obsolete if new meters are installed.

City Manger Castro explained that currently, there is no set time frame in which the City will go with “smart meters,” as there are some legal complications connected with same. As a result, he recommends that the City move forward with the rate study as it is needed now. He explained that due to the drought, more water is being use, thus the City is bringing in additional revenue. However, once the rainy season begins, we will need to be prepared. The study will produce a model that staff will use, now and in the future, to make adjustments in the rate. The uncertainty now makes this study important.

Council discussed Red Oak’s experience with the new “smart meters.” Ms. Ivy explained their experience and stated that the timing is right for the study. She explained that should the city decide to install new meters, at least 12 to 24 months of data would be needed based upon these new meters before any changes in rate would occur.

Council also engaged in discussion about how Red Oak was chosen. Mr. Castro explained the process.

The rate study will take 90 to 120 days. It was pointed out that the contract included in the Council Packet did not outline the fees. It was discovered that the proposal made by Red Oak Consultants, while it was a part of the contract, was not included in the packet. Copies of same were distributed to Council for their review.

In finishing up their discussion on this topic, Council discussed what exactly the rate study would include. There was discussion about administrative fees associated with the transfers from the General Fund to the Utility Fund as well as discussion about the waste water treatment plant.

With no further discussion on this topic, Council Member Erskine moved to approve Resolution No. 2011-57, authorizing the City Manager to enter into a contract with Red Oak Consulting Service for Water and Wastewater Rate and Financial Planning Study, acknowledging the inclusion of Red Oak’s Proposal as a part of Exhibit A attached to the Resolution. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2011-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,
TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

WITH RED OAK CONSULTING SERVICE FOR WATER AND WASTEWATER RATE AND FINANCIAL PLANNING STUDY.

3. Discussion with possible action regarding a request from Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs.

Danny Segundo, Director of Public Works, introduced the item. He explained that Lee Vela from Clear Channel Communications would make a presentation concerning their request to amend the City's ordinance to allow spectacular signs. Currently the City's ordinance prohibits "spectacular signs" within the city limits.

A spectacular sign is defined as a sign that has one or more of the following as elements in its physical structure:

1. Automatically changing advertising that changes more often than once every five minutes (not including date, time, temperature);
2. Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, or spotlights, or similar devices;
3. Lights or colored elements creating a continuously moving, shimmering or prismatic effect; or
4. Rotating or moving parts.

In completing the presentation by Lee Vela from Clear Channel Communications, Council engaged in discussion about these signs and the prospect that 18,000 public services messages could be run in rotation with one displaying every 8 seconds. They also discussed the times that such public service messages would run should the City approve these signs. Mr. Vela explained that arrangements would be made to run the City's messages at a time agreed upon by each, and this time would not be in the early morning hours as initially thought by some Council Members.

Council also discussed that publicizing some events held by the City along US Highway 290 may not be a benefit, as it would bring too many people into the City to attend events that are primarily given to benefit Jersey Village residents.

Council also discussed how the signs would be powered in the event of an emergency should there be no electricity. Mr. Vela explained that some signs would have generators, not all as the generators will be strategically placed around the Gulf Coast area. He also explained that the units are the same size as the existing bill boards and the illumination is never more than 3.3 foot candles.

City Manager Castro explained the process for moving forward with further consideration of this request. He explained that Council would need to charge the P&Z with making a recommendation pertaining to the request.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Council asked for input from both the Fire and Police Chiefs. Chief Foerster stated the signs would be beneficial in providing information on missing people, fugitives, and the evacuation process during a hurricane. Chief Bitz was concerned with how and when the messages are displayed during an emergency situation.

City Manager Castro addressed Council stating that there is a difference between Jersey Village residents and those traveling along the US Highway 290 corridor. As a result, most messages aimed at Jersey Village residents do not need to be displayed along US Highway 290. Messaging with our residents during the time of an emergency has been consistent in the past. Residents are accustomed to receiving this type information via the city website, the city marquee signs, door-to-door postings, email blasts, and the JV Star when time permits. Accordingly, based upon past success with informing our residents, it is not likely that these “Spectacular Signs” will be used to satisfy this purpose. Therefore, if the interest in spectacular signs is based upon the concern about informing JV residents of pertinent information during an emergency, these signs may not be the answer.

With no further discussion on the matter, Council Member Maloy moved to charge the Planning and Zoning Commission with reviewing Clear Channel Communications’ request to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs and make a recommendation to council pertaining to same. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, and Maloy

Nays: Council Member Klein

The motion carried.

4. **Consider Ordinance No. 2011-41, amending the city’s budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 by increasing the Golf Course fund balance in the amount of \$71,000 in order to compensate for higher fees charged by the Water Authority and the increase in water usage due to the drought.**

Danny Segundo, Public Works Director, presented the item on behalf of Parks and Recreation Director, Michael Brown. Mr. Segundo told Council that the Water Authority had substantially increased their fees. Furthermore, due to the severe drought, the Golf Course needs to use more water in order to keep the fairways and greens in good condition. This budget amendment is divided into two parts; the General Fund needs to transfer to the Golf Course Fund \$71,000 since the Golf Course Operating fund is negative and then allocate those funds in the Golf Course to the Water Fees expenditure line item.

Council engaged in limited discussion about the percent of increase in these charges overtime. Mr. Segundo explained that the fees seen are relatively constant, but the

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

request is to substantiate the large amount of water used due to the drought. With no further discussion, Council Member Berube moved to approve Ordinance No. 2011-41, amending the city's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 by increasing the Golf Course fund balance in the amount of \$71,000 in order to compensate for higher fees charged by the Water Authority and the increase in water usage due to the drought. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, and Klein

Nays: Council Member Maloy

The motion carried.

ORDINANCE NO. 2011-41

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY INCREASING THE GOLF COURSE FUND BALANCE IN THE AMOUNT OF \$71,000 IN ORDER TO COMPENSATE FOR HIGHER FEES CHARGED BY THE WATER AUTHORITY AND THE INCREASE IN WATER USAGE DUE TO THE DROUGHT; AND PROVIDING FOR SEVERABILITY.

- 5. Consider Ordinance No. 2011-42, amending the budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011, allowing for the transfer of \$150,000 from the City's utility fund to line item 02-45-5411 Water Purchased.**

Danny Segundo, Public Works Director, presented the item. He explained that due to drought conditions that have affected the greater Houston area and the State of Texas there has been a rise in water consumption by the residents of Jersey Village. Also, a contributing factor to the increase has been the recalibration of the interconnect meter by the City of Houston at the City's Seattle Water Plant.

During these drought conditions the City's monthly water usage has increase to levels never seen before; May/June 72 MG (million gallons), June/July 76MG, and July/August 78 MG. Our daily average consumption has been near 2.5 MGD (million gallons per day) during this period. Under normal conditions our daily average would be near 1.2 to 1.3 MGD.

In July the budget was amended by \$700,000 to cover the cost associated with the increased demand. Invoices from City of Houston have been in excess of \$200,000. An additional budget amendment is needed in order to cover the cost of water purchased from the City of Houston for the remainder of the fiscal year.

Council engaged in discussion about the revenue increases that are also associated with the increase in water usage. Ms. Kato, Finance Director, told Council that the projected

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

revenues for this line item are \$2.9 million. With no further discussion on this item, Council Member Berube moved to approve Ordinance No. 2011-42, amending the budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011, allowing for the transfer of \$150,000 from the City's utility fund to line item 02-45-5411 Water Purchased. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2011-42

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, ALLOWING FOR THE TRANSFER OF \$150,000 FROM THE CITY'S UTILITY FUND TO LINE ITEM 02-45-5411 WATER PURCHASED; AND PROVIDING FOR SEVERABILITY.

- 6. Consider Ordinance No. 2011-43, amending the budget for fiscal year beginning October 1, 2010 and ending September 30, 2011 in the amount of \$40,000 for the allocation of salaries and fringe benefits for the Police Department personnel involved with Traffic Safety.**

Isabel Kato, Finance Director, introduced the item. She explained that in reviewing financial schedules, it is necessary to adjust the line item "Professional Services Personnel" (08-17-5523) in the Traffic Safety Fund in order to reimburse the General Fund for salaries and fringe benefits of the employees that are assigned to the Traffic Safety Detail within the Police Department.

This amendment will allow us to prepare our adjusting entries thru the end of Fiscal Year 2010-2011.

Council Member Erskine moved to approve Ordinance No. 2011-43, amending the budget for fiscal year beginning October 1, 2010 and ending September 30, 2011 in the amount of \$40,000 for the allocation of salaries and fringe benefits for the Police Department personnel involved with Traffic Safety. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2011-43

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 IN THE AMOUNT OF \$40,000 FOR THE ALLOCATION OF SALARIES AND FRINGE BENEFITS FOR THE POLICE DEPARTMENT PERSONNEL INVOLVED WITH TRAFFIC SAFETY; AND PROVIDING FOR SEVERABILITY.

- 7. Consider Ordinance No. 2011-44, amending the Jersey Village Code of Ordinances at Chapter 2, Article IV, Division 2, Section 2-142 to provide for revisions to the schedule of fees related to permits and other miscellaneous services; and amending Chapter 50, Article II, Section 50-43(c) to reflect the solicitor fee revisions.**

Lorri Coody, City Secretary, introduced the item. She explained that as part of the budget process each year, each department in the City reviews the fees it charges for services performed in order to determine if the City should consider increasing/revising the fees for certain services. In making this year's review, staff has determined that there are several areas wherein increases should be made in order to cover to the costs of providing these services.

In connection with the review, an extensive request for information on fees charges by other cities was made. The information that was received has been compiled into a report in order to compare what these cities are charging with what Jersey Village currently charges and with that which staff is seeking to charge for similar or like services.

This item is to request revisions to the Code of Ordinances that will update/increase the fees charged for certain services in order to bring these charges in line with the cost of providing the service. A spreadsheet indicating budget projections associated with these fee updates was included in the meeting packet as well as a spreadsheet indicating the history of changes to the City's schedule of fees.

Council engaged in discussion about the differences in fees charged by cities for the "development fee." This fee was discussed at length with staff providing explanation and support for the requested fee changes even though it will be considerably lower than what some of the other cities are charging. Council also discussed the following fees:

1. Current fee for water meter installation;
2. Wild animal trap fee; and
3. The charging of a solid waste permit fee (currently no charge for this service)

Council Member Berube moved to approve Ordinance No. 2011-44, amending the Jersey Village Code of Ordinances at Chapter 2, Article IV, Division 2, Section 2-142 to provide for revisions to the schedule of fees related to permits and other miscellaneous services; and amending Chapter 50, Article II, Section 50-43(c) to reflect the solicitor fee revisions. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Nays: None

The motion carried.

ORDINANCE NO. 2011-44

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE JERSEY VILLAGE CODE OF ORDINANCES, CHAPTER 2, ARTICLE IV, DIVISION 2, SECTION 2-142 TO AMEND THE SCHEDULE OF FEES RELATED TO PERMITS AND OTHER MISCELLANEOUS SERVICES; AND AMENDING CHAPTER 50, ARTICLE II, SECTION 50-43(c) TO REVISE THE PROVISIONS RELATING TO THE IDENTIFICATION CARD FEES FOR SOLICITORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL.

8. Consider Ordinance No. 2011-45, approving Revision No. 2 to the City’s Personnel Policy in order to reflect compensation and leave benefits for full time firefighters to begin October 1, 2011.

Mark Bitz, Fire Chief, introduced the item. He told Council that the installation of full time shift firefighters, Fair Labor Standards Act dictates certain policies be updated to reflect changes associated with their employment. All changes have been reviewed and approved by the city attorney. The areas affected in the policy are as follows:

Chapter VII – Compensation Section 3- Overtime Pay

This section adds that firefighters will get paid overtime when working more than 106 hours in a two week period as outlined in FLSA.

Chapter VIII – Leave Section 1- Holidays

This section requires that the City offer shift firefighters an opportunity to use one of their floating holidays on September 11. In the Texas Legislature, September 11 has been deemed as a holiday for fire fighters. They have the option now of taking their holiday on September 11 or to use the same holidays accorded to all full time city employees.

Chapter VIII – Leave – Section 2- Vacations

This section identifies vacation days earned by shift firefighters. Shift firefighters will earn days based on a 24 hour shift and is calculated on 2912 hours worked per year. Other employees are calculated on 8 hour shifts and 2080 hours worked per year.

Shift Fire Fighters will earn vacation leave as follows:

<u>Years of service</u>	<u>Vacation Per Year</u>	<u>Monthly Accrual</u>
0-5	4.665 days (111.96 hours)	9.33 hours 1.16 days
6-15	7 days (168 hours)	14 hours 1.75 days
16 +	9.33 days (223.92 hours)	18.66 hours 2.33 days

* Calculated on a 24 hour shift.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Chapter VIII – Leave – Section 3- Sick Leave

This section adds shift firefighters into the accrual for sick leave. The shift firefighter will earn 12 hours a month of sick leave.

Council engaged in limited discussion on this item concerning other costs associated with implementing this change. Staff confirmed that these changes are being made to comply with existing laws, and there are no additional personnel costs. It merely provides personnel guidelines for the shift firefighters which were approved for the 2011-2012 budget.

Council Member Maloy moved to approve Ordinance No. 2011-45, approving Revision No. 2 to the City's Personnel Policy in order to reflect compensation and leave benefits for full time firefighters to begin October 1, 2011. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2011-45

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING REVISION NO. 2 TO THE CITY'S PERSONNEL POLICY IN ORDER TO REFLECT COMPENSATION AND LEAVE BENEFITS FOR FULL TIME FIREFIGHTERS TO BEGIN OCTOBER 1, 2011; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL.

9. Consider Resolution No. 2011-58, authorizing the City Manager to enter into contract for EMS/Fire billing services between City of Jersey Village and AR Management & Solutions (ARMS).

Mark Bitz, Fire Chief, introduced the item. He told Council that in July 2011, we received a new contract update from Specialized Billing, our current EMS/Fire billing company. The contract indicated our EMS billing fee was increasing from 13% to 14% and our fire billing fee was remaining the same at 10%. In light of this change, research was done on several billing companies, and we found a billing company located in Irving, TX that will provide the same EMS/Fire billing services at a monthly billing fee of seven and one half percent (7.5%) for both EMS and Fire billing.

The company in Irving is called AR Management & Solutions (ARMS) and has been in business for 10 years. I have contacted four (4) of ARMS' current clients. Each client gave positive feedback and raving reviews on ARMS' ability to collect fees associated with both EMS and Fire responses. Specifically I think one difference between Specialized Billing and ARMS is that ARMS processes the request within a few days of

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

receiving information which we will provide to them. Specialized Billing does not process information for two months of receipt.

Billing contracts for Specialized Billing and ARMS were included in the meeting packet for Council's review as well as a letter that has been sent to Specialized Billing with intent to cancel services. One thing to note; Specialized Billing will continue to process claims that are in their possession.

ARMS is obligated to bill for all calls for service. They do understand the cities desire to not bill residents of Jersey Village. There are some instances where a resident might receive a bill if they have not met their deductible. When this occurs, ARMS has been instructed to make this a voluntary donation by the resident for services rendered.

The contract has been reviewed and revised by the City Attorney with a starting date for October 1, 2011.

In completing the presentation of this item, Council engaged in discussion about any audit processes that are in place in order to verify the accuracy of this service. Staff explained that the invoices are currently reconciled, but no audit is performed. It was acknowledged that the contract, which is the subject of this item, provides for "an accounting," which could provide the audit information necessary to verify accuracy.

Council Member Maloy moved to approve Resolution No. 2011-58, authorizing the City Manager to enter into contract for EMS/Fire billing services between City of Jersey Village and AR Management & Solutions (ARMS). Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2011-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT FOR EMS/FIRE BILLING SERVICES BETWEEN CITY OF JERSEY VILLAGE AND AR MANAGEMENT & SOLUTIONS (ARMS).

- 10. Consider Resolution No. 2011-59, appointing members to the Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee.**

City Secretary, Lorri Coody introduced the item. She told Council that every year during the September Council Meeting, Council considers appointments to its Boards and Commissions. The City currently has five Boards and/or Commissions which are the

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee. Each one of these Boards has positions wherein the term of office is ending, resulting in consideration of applicants to fill these new terms. Ms. Coody stepped Council through the appointment process for each of the above listed Boards.

The Planning and Zoning Commission

Currently, there are no vacant positions on the Planning and Zoning Commission; however, the term of office for Positions 1, 2, 3, and 4 expire on September 30, 2011. The new term for these positions begins on October 1, 2011 and will end on September 30, 2013.

There are several applications on file with the City Secretary from residents interested in serving on this Commission. The interested applicants are as follows:

Harold F. Smith, Jr.	Ratan K. Jha	Jason Babbitt	Bill Bartlett
J. Royce Price	Debra Sappington	Nancy Roberts	

In addition to the pending applications mentioned above, the members currently serving on the Commission desire re-appointment.

In consideration of the new applicants desiring appointment to this Commission and the desire of those seeking reappointment, Council Member Beckwith moves to approve the following appointments to this Commission for the term to begin October 1, 2011 and end September 30, 2013.

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
GEORGE E. OHLER	1	10/01/11	09/30/13
MICHAEL R. O'NEAL	2	10/01/11	09/30/13
BARBARA FREEMAN	3	10/01/11	09/30/13
TOM EUSTACE	4	10/01/11	09/30/13

Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

The Board of Adjustment

Currently, position A1 is vacant on the Board of Adjustment. The term for Position A1 along with Positions 1, 2, and 3 will expire on September 30, 2011. The new term for these positions begins on October 1, 2011 and will end on September 30, 2013.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

There is one application on file with the City Secretary from residents interested in serving on this Board. The interested applicant is as follows:

Debra Sappington

In addition any pending applications mentioned above, the members currently serving on the Board desire re-appointment.

In consideration of the desire of those seeking reappointment, Council Member Maloy moves to approve the following appointments to this Board for the term to begin October 1, 2011 and end September 30, 2013:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
HENRY R. HERMIS, JR.	1	10/01/11	09/30/13
ROBERT CUNNINGHAM	2	10/01/11	09/30/13
THOMAS SIMCHAK	3	10/01/11	09/30/13

Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

And in considering appointment for the vacant position A1, Council Member Berube moved to approve the appointment of Debra Sappington to this Board for the term to begin October 1, 2011 and end September 30, 2013. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

Building Board of Adjustment and Appeals

Currently, there are no vacant positions on the Building Board of Adjustment and Appeals; however, the term of office for Positions 5, 6, and 7 will expire on September 30, 2011. The new term for these positions begins on October 1, 2011 and will end on September 30, 2013.

There are three applications on file with the City Secretary from residents interested in serving on this Board. The interested applicants are as follows:

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

William D. Berger Debra Sappington Nancy Roberts

In addition to the pending applications mentioned above, the members currently serving on the Board desire re-appointment.

In consideration of the new applicants desiring appointment to this Board and the desire of those seeking re-appointment, Council Member Maloy moved to approve the following appointments to this Board for the positions and terms listed:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
ARI FLEITMAN	5	10/11	09/13
MICHAEL O'KELLEY	6	10/11	09/13
GARY VOSSLER	7	10/11	09/13

Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

Recreation and Events Committee

Currently, there are two vacant positions on the Recreation and Events Committee, Place 2 and Place 7. The term for Place 7 began on October 1, 2010 and will end September 30, 2012. Should there be applicants interested in this position; the appointment will be for the unexpired term that ends September 30, 2012.

In addition to the need to make an appointment to Place (7), the term of office for Positions 1, 2, 3, and 4 will expire on September 30, 2011. The new term for these positions begins on October 1, 2011 and will end on September 30, 2013. The current members serving on this Committee in these positions desire re-appointment to term beginning October 1, 2011.

In consideration of the desire of those seeking re-appointment, Council Member Klein moved to approve the following appointments for this Committee for the terms stated:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
DOROTHY STARKEY	1	10/11	09/13
VACANT	2	10/11	09/13
BARBARA ERSKINE	3	10/11	09/13
KAREN LISTI	4	10/11	09/13
VACANT	7	10/10	09/12

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Beckwith, Maloy, and Klein
 Nays: None
 Abstain: Council Member Erskine

The motion carried.

Golf Course Advisory Committee

Currently, there is one vacant position on the Golf Course Advisory Committee, Position 3. The term of office for Positions 1 through 7 all will expire on September 30, 2011. The new term for these positions begins on October 1, 2011 and will end on September 30, 2012.

There is one application on file with the City Secretary from residents interested in serving on this Committee. The interested applicant is as follows:

James Sappington

In addition to the new applicant, the following members desire re-appointment to this Committee for a one year term beginning October 1, 2011 and ending September 30, 2012.

In consideration of the new applicant desiring appointment to this Committee and the desire of those seeking reappointment, Council Member Erskine moved to approve the following appointments to this Committee for a one year term beginning October 1, 2011 and ending September 30, 2012:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
VANCE BURNHAM	1	10/01/11	09/30/12
GREG FAIR	2	10/01/11	09/30/12
JAMES SAPPINGTON	3	10/01/11	09/30/12
BILL SCHUSTER	4	10/01/11	09/30/12
BILL SMITH	5	10/01/11	09/30/12
HAROLD SMITH, JR.	6	10/01/11	09/30/12
JOHN TERRELL	7	10/01/11	09/30/12

Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein
 Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

The motion carried. RESOLUTION NO. 2011-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE PLANNING & ZONING COMMISSION, BOARD OF ADJUSTMENT, BUILDING BOARD OF ADJUSTMENT AND APPEALS, AND THE GOLF COURSE ADVISORY COMMITTEE; AND THE RECREATION AND EVENTS COMMITTEE.

11. Consider Resolution No. 2011-60, designating a city representative and an alternate representative to the Houston-Galveston Area Council's 2012 General Assembly.

Lorri Coody, City Secretary, introduced the item. She told Council that Houston Galveston Area Council (HGAC) has requested the City's participation in selecting a City representative for the Houston Galveston Area Council 2012 General Assembly. Council Member Jill Klein was the designated representative and Councilmember Mark Maloy was the designated alternate representative for the Houston Galveston Area Council 2011 General Assembly.

Council Member Berube moved to approve Resolution No. 2011-60, designating Mark Maloy as the City Representative and Harry Beckwith as the Alternate Representative to the Houston-Galveston Area Council's 2012 General Assembly. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, and Klein

Nays: None

Abstain: Council Members Beckwith and Maloy

The motion carried.

RESOLUTION NO. 2011-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING A CITY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE HOUSTON-GALVESTON AREA COUNCIL'S 2012 GENERAL ASSEMBLY.

12. Discussion with possible action to amend section 66-146 of the City of Jersey Village Code of Ordinances relating to Junk Vehicles.

Harry Beckwith, Council Member, introduced the item. Background information is as follows:

Council Member Beckwith has suggested a change to the city ordinance related to Junk Vehicles. The suggested change is to the definition of Junk Vehicles. Currently a Junk Vehicle is defined as:

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Junk Vehicle means a vehicle that is self-propelled and inoperable and:

1. Does not have lawfully attached to it:
 - a. An unexpired license plate; or
 - b. A valid motor vehicle inspection certificate; or
2. Is wrecked, dismantled or partially dismantled or discarded; or
3. Has remained inoperable for more than 45 consecutive days.

Council Member Beckwith explained to Council that he would like to change the opening sentence of the current definition to read as follows:

Junk Vehicle means a vehicle that is self-propelled and inoperable and **or**:

Council briefly discussed the process for making this change, and Council Member Beckwith moved that the Planning and Zoning Commission review and make recommendations concerning the request to amend section 66-146 of the City of Jersey Village Code of Ordinances relating to Junk Vehicles. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

13. Conduct the City Manager's annual performance evaluation and consider setting salary for budget year 2011-2012.

Mayor Hamley called the item and explained that each year the City Manager receives an evaluation. Mayor Hamley stated that each Council Member previously had been given a performance evaluation sheet for this process. He then called each Council Member to make comments concerning Mr. Castro's performance.

Council Member Berube stated that Mr. Castro is a tremendous help to the City and possesses extraordinary leadership and management skills. She believes his strengths to be in Fiscal and Organizational Management. Council Member Berube recommends a 4% increase for budget year 2011-2012.

Council Member Klein stated that the elements of her evaluation of Mr. Castro's performance ranged from (7's) to (8's) with only one (6). She sees Fiscal Management as his strength, stating that Mr. Castro has the ability to effectively plan for the financial benefit of the city. She stated that there is room for improvement in communicating with Council, suggesting that when in doubt as to the desires of Council, listening to the tape may not be the best approach. She would prefer that Mr. Castro just ask. Council Member Klein recommends a 3% salary increase.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

Council Member Erskine stated that he is very pleased with Mr. Castro's performance. He finds his greatest strength to be in Fiscal Management, both with the Golf Course Fund and the General Fund. He pointed out that the city's current fiscal soundness is due to Mr. Castro's leadership, and he is quite impressed that we are able to consider the street bond project without having to issue bonds. Council Member Erskine pointed out Organizational Management as another one of Mr. Castro's strengths. He went on to say that although there has been some improvement in the area of Public Relations, he still sees this as an area for continued work. He recommends a 4% increase.

Council Member Maloy stated that the elements of his evaluation of Mr. Castro's performance were all above average. He sees Mr. Castro's strengths to be good organizational and management skills. He believes that there is room for improvement when speaking with citizens one-on-one about their concerns. Overall, Council Member Maloy believes that Mr. Castro is doing a good job and that he works to carry out the desires of Council. Nonetheless, keeping with his support for no pay increases throughout the city, Council Member Maloy recommended that Mr. Castro receive no pay increase during the next budget year 2011-2012.

Council Member Beckwith explained that he is very impressed with Mr. Castro's performance. He stated that the elements of his evaluation of Mr. Castro's performance ranged from (8's) to (9's). Council Member Beckwith believes that one of Mr. Castro's strengths is Council Relations. He stated that Mr. Castro is very informative, instructive without being verbose and does not "talk down" to Council. He believes Mr. Castro to have excellent people and communication skills and he sees him as having a genuine interest in Jersey Village. While he has only been on Council since May, he has not had an opportunity to find any areas for improvement. He recommends an increase in base pay from \$114,000 to \$120,000.

Mayor Hamley agreed that Mr. Castro's strength is Fiscal Management, as he is very conservative both with spending and with budgeting. Mayor Hamley felt that while Mr. Castor has improved some in the area of being friendly with staff, council and the public, there is still room for improvement in this category. Mayor Hamley recommends a 3% pay increase and an increase in Mr. Castro's car allowance from \$6,000 to \$6,600.

In completing the evaluation comments, Council Member Beckwith moved to increase the base salary for the City Manager and his car allowance for budget year 2011-2012 by 4%. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, and Klein

Nays: Council Member Maloy

The motion carried.

I. MAYOR AND COUNCIL COMMENTS

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – September 19, 2011

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 Klein: Council Member Klein reported that the Ice Cream Social sponsored by Recreation and Events Committee on September 11 was well attended. She reminded everyone that the next event will be the Fall Frolic to be held October 21, 2011.

Council Member Erskine: Council Member Erskine stated that he had attended the Celebration of Life service given in honor of Kimberly Maldonado and was very impressed by the large turnout and dedication of City staff. He appreciated seeing this support and realized the true strength and commitment existing among our staff.

Council Member Beckwith: Council Member Beckwith thanked staff for a job well done on the budget.

Mayor Russell Hamley: Mayor Hamley told Council of the upcoming Texas Municipal League Conference that will be held in Houston in October. He explained that these conferences are an excellent avenue to learn about new ideas and to network with other city council members from around the state. He encouraged Council Members to attend this conference, especially since it is right here in Houston.

I. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:58 p.m.

Lorri Coody, City Secretary