

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 20, 2012 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 Russell Hamley at 7:12 p.m. with the following present:

Mayor, Russell Hamley

Council Member, Jill Klein

Council Member, Justin Ray

Council Member, Rod Erskine

Council Member, Harry Beckwith III, PE

Council Member, Sheri Sheppard

City Manager, Mike Castro

City Secretary, Lorri Coody

City Attorney, Bobby Gervais

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge: Council Member, Justin Ray

C. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

1. **Receive the adopted fiscal year 2012-2013 budget from the Jersey Village Crime Control and Prevention District (CCPD).**

Council received submission of the 2012-2013 fiscal year budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through a presentation of a certified copy of the JVCCPD's Resolution No. 2012-03 by City Secretary, Lorri Coody.

2. **Conduct a public hearing on the Jersey Village Crime Control and Prevention District's budget for the fiscal year 2012-2013.**

Mayor Russell Hamley opened the public hearing at 7:13 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2012-2013 Crime Control and Prevention District budget that had previously been submitted to Council by the Crime Control and Prevention District Directors for Council's approval.

Council received a short presentation from the City of Jersey Village Police Department concerning the following 2012-2013 supplementals being requested by the department:

- Computer Software;
- Public Safety Radios;
- CCPD Election; and
- Five (5) new cars.

With no one signing up to speak on the JVCCPD budget, Mayor Hamley closed the public hearing at 7:15 p.m. and called the next item on the agenda.

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3. Consider Resolution No. 2012-32, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2012-2013.

With limited discussion, Council Member Sheppard moved to approve Resolution No. 2012-32, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2012-2013. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2012-2013 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 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.

Susan Edwards, 16001 Jersey Drive, Jersey Village, Texas (713) 466-4383 – Ms. Edwards thanked Council for the swimming pool. She explained that a group of residents (40 men and women) had used the pool all summer (May through August) for water aerobics. The activity was well received and she was very thankful for the facility.

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas (713) 849-2918 – Mr. Kopecky thanked Michael Brown, Parks and Recreation Director; and Danny Segundo, Director of Public Works, for a job well done. He explained that he had some issues that needed addressing and both these men and their crews handled the matter in an efficient and effective manner.

Zana Carter, 16242 Seattle, Jersey Village, Texas (713) 937-6119 – Ms. Carter spoke to Council about her continued desire that Council support the US 290 noise mitigation efforts.

Carl Richardson, 16202 Singapore Lane, Jersey Village, Texas (713) 849-5911 – Mr. Richardson explained that he lives on the corner of Singapore and Carlsbad which is under street construction. He had applied for a construction permit because he wants to build a rear access driveway to his back yard that he feels complies with existing ordinances, yet the Director of Public Works has denied the issuance of the permit. He is asking that Council reconsider his request.

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Sula Dunklin, 7902 Adagro Ave., Houston, Texas 77040 – Ms. Lynn Dawson extended an invitation to Council on behalf of Sula Dunklin to an open house on August 26, 2012. Ms. Sula Dunklin is opening a new training school on Senate Avenue. The Grand Opening will be from 2 PM to 6 PM and Council is invited.

Mark Maloy, 7803 Hamilton Ave., Jersey Village, Texas 77040 – Mr. Maloy thanked Council Member Rod Erskine for writing the template letters for the State and US Representatives concerning the US 290 noise mitigation efforts. He also gave a briefing about a meeting he attended at Cy-Fair Independent School District on August 13, 2012 wherein he encouraged officials there to join the US 290 noise mitigation efforts.

E. CITY MANAGER’S REPORT

City Manager, Mike Castro, in addition to giving his monthly report which follows, gave an update on the number of TxDOT letters received to date concerning the US 290 noise mitigation efforts. He reported that 17 letters have been received.

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 July 2012
2. Open Records Request and Updated Memo on Recreational Vehicle Registrations
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, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report
6. Public Works Departmental Report, Phase 3 CIP Project Breakdown and Phase 3 Project Update
7. Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
8. Report from Code Enforcement
9. Capital Improvements Projects Report

F. 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 16, 2012 and approval of the Special Work Session Meetings held on July 23, 2012 and July 24, 2012.**

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2. **Consider Ordinance No. 2012-25, amending the Jersey Village Code of Ordinances, Chapter 2, Article IV, Division 2, Section 2-142(f) by adding a new subsection (16) to provide for a fee for the convenience of using credit/debit cards when making payments for municipal services.**

ORDINANCE NO. 2012-25

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(F) BY ADDING A NEW SUBSECTION (16) TO PROVIDE FOR A FEE FOR THE CONVENIENCE OF USING CREDIT/DEBIT CARDS WHEN MAKING PAYMENTS FOR MUNICIPAL SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL.

4. **Consider Resolution No. 2012-33, authorizing the City Manager to enter into an interlocal agreement with Harris County Flood Control District, allowing the City of Jersey Village Fire Department to use certain district property for the limited purpose of fire safety training exercises.**

RESOLUTION NO. 2012-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY FLOOD CONTROL DISTRICT, ALLOWING THE CITY OF JERSEY VILLAGE FIRE DEPARTMENT TO USE CERTAIN DISTRICT PROPERTY FOR THE LIMITED PURPOSE OF FIRE SAFETY TRAINING EXERCISES.

5. **Consider Resolution No. 2012-34, authorizing the City Manager to enter into an interlocal agreement with the Texas Department of Public Safety, allowing the City of Jersey Village Municipal Court to continue participation in the Failure to Appear Program offered by the Driver License Division under Transportation Code Chapter 706.**

RESOLUTION NO. 2012-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY, ALLOWING THE CITY OF JERSEY VILLAGE MUNICIPAL COURT TO CONTINUE PARTICIPATION IN THE FAILURE TO APPEAR PROGRAM OFFERED BY THE DRIVER LICENSE DIVISION UNDER TRANSPORTATION CODE CHAPTER 706.

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6. **Consider Resolution No. 2012-35, authorizing the appointment of Directors Sheppard, Klein, Ray, and Klussmann to a two year term on the City of Jersey Village Crime Control and Prevention District to begin on September 1, 2012 and end on August 31, 2014.**

RESOLUTION NO. 2012-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE APPOINTMENT OF DIRECTORS SHEPPARD, KLEIN, RAY, AND KLUSSMANN TO A TWO YEAR TERM ON THE CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT TO BEGIN ON SEPTEMBER 1, 2012 AND END ON AUGUST 31, 2014.

With Item Number 3 being removed from the Consent Agenda, Council Member Beckwith moved to approve items 1, 2, 4, 5, and 6 on the consent agenda. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

Before moving on to the Regular Agenda, Mayor Hamley called item 3 from the Consent Agenda for discussion as follows:

3. **Consider Ordinance No. 2012-26, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 30, Fire Prevention and Protection, by adding Section 30-2 to provide for recovering cost for Fire Protection and Emergency Services.**

Fire Chief, Mark Bitz, introduced the item. He explained that on July 23, 2012, Council approved Resolution No. 2012-31, authorizing a contract with K. & P. ASSOC. INC., d/b/a Specialized Billing & Collection Systems of Texas for EMS and Fire billing services.

He told Council that in implementing the necessary software and business rules for these services, it was discovered that our Code of Ordinances needed to provide for the practice of recovering cost for Fire Protection and Emergency Services. This item is to make the necessary amendments to the Code of Ordinances in order to provide for this practice.

Council engaged in discussion about the Resolution. There was concern that the changes would apply to residents. Fire Chief Bitz explained that other cities have similar ordinances and the changes apply only to non-residents. He further explained that the additional language is needed because the insurance companies require it.

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With no further discussion on the matter, Council Member Ray moved to approve Ordinance No. 2012-26, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 30, Fire Prevention and Protection, by adding Section 30-2 to provide for recovering cost for Fire Protection and Emergency Services. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2012-26

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 30, FIRE PREVENTION AND PROTECTION, BY ADDING SECTION 30-2 TO PROVIDE FOR RECOVERING COST FOR FIRE PROTECTION AND EMERGENCY SERVICES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

G. REGULAR AGENDA

- 1. Consider Resolution No. 2012-36, accepting the proposal from WCA Waste Corporation L.P., and authorizing the City Manager to enter into a contract with WCA Waste Corporation L.P. for the collection of residential curbside solid waste.**

Danny Segundo, Director of Public Work, introduced the item. Background information is as follows: The City's current solid waste contract with WCA Waste Corporation will expire October 1, 2012. A work session was held on June 18, 2012 by staff and city council to discuss its current contract with WCA and their proposal to extend residential solid waste pick up. At the City Council meeting later that night city council voted to approve Resolution 2012-19 which allowed the city secretary to solicit bids related to residential solid waste pickup.

City staff advertised a Request for Proposals (RFP) in the Houston Chronicle and an RFP link was added to the City's web site. The RFP stipulated that the city would like to receive cost associated with residential curb side pickup and residential recycle curb side pickup.

On August 7, 2012 city staff received 5 bids. The bids were from Republic Waste, WCA Waste Corporation, Waste Management, Texas Trash, and VF Waste Service. A staff committee was formed to review the proposals and make a recommendation to city council regarding its RFP.

City staff has reviewed the proposals and is recommending that city council consider WCA Waste Corporation to be its residential solid waste provider.

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Council engaged in discussion about the inclusion of recycling in the contract. Mr. Segundo explained that this service is not included, but can be added at any time. Council also asked if the level of service would change, and Mr. Segundo explained that basically the proposal submitted is a continuation of the current services.

With no further discussion, Council Member Beckwith moved to approved Resolution No. 2012-36, accepting the proposal from WCA Waste Corporation L.P., and authorizing the City Manager to enter into a contract with WCA Waste Corporation L.P. for the collection of residential curbside solid waste. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING THE PROPOSAL FROM WCA WASTE CORPORATION L.P., AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WCA WASTE CORPORATION L.P. FOR THE COLLECTION OF RESIDENTIAL SOLID WASTE.

- 2. Consider Resolution No. 2012-37, authorizing the extension of water service to United Equities, Inc. for the Wright Road Development consisting of 4.8125 acres of Land situated in the D.E. Smith Survey, Abstract No.716 Harris County, Texas and being out of lot 56, of Fairview Gardens Subdivision.**

Danny Segundo, Director of Public Work, introduced the item. Background information on the item is as follows: The Public Works Department has received a letter from United Equities, Inc., requesting the extension of water service from the City of Jersey Village. Their proposed development, Lot 56 of Fairview Gardens subdivision, is located in Jersey Village's Extra Territorial Jurisdiction (ETJ), and is across the street from our water utility inter-connect with City of Houston. The City of Jersey Village owns and maintains an 8 inch water line on FM 529 at 7100 Wright Road that provides water service to BASF Chemical Operations (formerly Master Builders).

United Equities, Inc. would like to extend the water line across the street in order to receive city services. Any improvement to City utilities will be required to follow Chapter 14, Article VIII of the City's Building and Development Code; Public Utilities. All designs and specifications must be approved by City Engineer, Brooks & Sparks Inc. City Staff has required that United Equities meet the following conditions.

1. Construct utilities according to Chapter 14, Article VIII of the City's Building and Development Code; Public Utilities.

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2. That United Equities, Inc. obtain a dedicated 10' public utility easement adjacent to FM 529, but not located in the street right of way.
3. That United Equities Inc. agrees to install an 8" water line in the utility easement at their own expense, and that any future upgrading of these utility lines will be at their own expense if their property is the only tract being served by these lines.
4. That all legal documents be reviewed and approved by the City's attorney.
5. The City shall not accept ownership or maintenance of any public improvements until the developer submits all final plats, all as-built drawings and a one-year maintenance bond.

United Equities Inc. has provided city staff with the necessary documentation related to items 1 – 4. City staff has reviewed the documents and recommends that the project be allowed to proceed.

Council engaged in discussion about the cost of the project. Mr. Segundo explained that United Equities will pay all costs of the project, including inspection fees for the City engineer.

Council also wanted to know who owns the water line that United Equities will tie into. Mr. Segundo explained that the City of Jersey Village owns this line. It was also mentioned that United Equities has no plans to use the water for any company processes. It will only be used to service the office facility.

Council Member Erskine moved to approve Resolution No. 2012-37, authorizing the extension of water service to United Equities, Inc. for the Wright Road Development consisting of 4.8125 acres of Land situated in the D.E. Smith Survey, Abstract No.716 Harris County, Texas and being out of lot 56, of Fairview Gardens Subdivision. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE REQUEST OF WATER SERVICE TO UNITED EQUITIES INC. FOR THE WRIGHT ROAD DEVELOPMENT CONSISTING OF 4.8125 ACRES OF LAND SITUATED IN THE D.E. SMITH SURVEY, ABSTRACT NO. 716 HARRIS COUNTY.

3. **Consider Ordinance No. 2012-27, amending the city's budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012 in the amount of \$400,000 for water purchased from the City of Houston.**

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Danny Segundo, Director of Public Work, introduced the item. Background information on the item is as follows: Additional funding is needed to cover the cost associated with our water purchase account with the City of Houston. While we are not seeing the same amount of usage as last year, we still have exceeded our budgeted amount. This year city staff will ask for a budget supplemental to increase the water purchased account in an attempt to reflect a more precise budget projection.

The transfer of funds will allow for the payment of water purchased from the City of Houston for the remainder of the fiscal year.

With limited discussion on this item, Council Member Beckwith moved to approve Ordinance No. 2012-27, amending the city's budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012 in the amount of \$400,000 for water purchased from the City of Houston. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2012-27

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012 IN THE AMOUNT OF \$400,000 FOR WATER PURCHASED FROM THE CITY OF HOUSTON; AND PROVIDING FOR SEVERABILITY.

- 4. Consider Ordinance No. 2012-28, amending the city's budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012 in the amount of \$25,000 by increasing line item 01-33-5017 to cover the electricity cost for the remainder of this fiscal year.**

Danny Segundo, Director of Public Work, introduced the item. He told Council that the additional funding is needed to cover the electricity cost associated with the operation and maintenance of the Police Department, Fire Department, and City Hall. The history of the account shows that there has been an increase every year associated with the electrical cost for these facilities.

Due to the increasing cost of operations it is required to increase the appropriation from fund balance by \$25,000 to bring the budget amount of this line item to \$165,000. This appropriation increase will allow for the payment of electricity from our energy provider for the remainder of this fiscal year.

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With limited discussion on this item, Council Member Ray moved to approve Consider Ordinance No. 2012-28, amending the city's budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012 in the amount of \$25,000 by increasing line item 01-33-5017 to cover the electricity cost for the remainder of this fiscal year. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2012-28

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012 IN THE AMOUNT OF \$25,000 TO COVER THE ELECTRICITY COST ASSOCIATED WITH THE POLICE DEPARTMENT, FIRE DEPARTMENT AND CITY HALL BUILDINGS; AND PROVIDING FOR SEVERABILITY.

5. **Consider Ordinance No. 2012-29, amending the city's budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012 in the amount of \$26,337 to purchase new Jaws of Life equipment; and authorizing the City Manager to execute on behalf of the City of Jersey Village all necessary documents with Metro Fire Apparatus Specialists, Inc. for the purchase of new Jaws of Life equipment for the City of Jersey Village Fire Department.**

Mark Bitz, Fire Chief, introduced the item. He told Council that the Jaws of Life equipment has suffered a catastrophic failure to the main power unit which supplies pressure to the Jaws, Spreaders and Ram units. According to the manufacturer the entire system somehow is contaminated and has destroyed the interior pump assembly which supplies the necessary pressure to the tools. This power unit is a dual system which means we can run two tools at once. Currently one side of the dual system is not functioning so we are only capable of running one tool at the moment.

Chief Bitz explained that the manufacturer's representative has looked at the unit and indicated it is not long before the second side fails. The contamination has spread to not only the power unit but to the hose lines and all the tools. The closed systems within the tools will eventually destroy the bearings and O-rings internally of these tools. Two hoses have already failed as the hydraulic oils have penetrated through the hose to the exterior of the hose and are no longer usable.

There is no explanation of how the equipment got contaminated. The only thought on this is when we replaced the motor to the power unit last year; somehow the hydraulic system got contaminated.

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To make sure the city is protected and has a working Jaws of Life unit, cutters and spreaders we have borrowed a system from Cy-Fair Fire Department and placed it on our rescue truck.

Chief Bitz presented a quote for a new complete unit. If approved, purchase of the unit will be from Metro Fire, the sole source vendor for the product. The Budget Amendment will replace the entire Jaws of Life system preventing further contamination and providing a complete working system.

Council engaged in discussion about the equipment. They received assurance from Chief Bitz that the equipment being purchased is interchangeable with Cy-Fair Fire Department's equipment. There was also discussion about placing this equipment into the equipment replacement fund. Chief Bitz explained that the life expectancy on the equipment is ten (10) years.

With no further discussion on the matter, Council Member Klein moved to approve Consider Ordinance No. 2012-29, amending the city's budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012 in the amount of \$26,337 to purchase new Jaws of Life equipment; and authorizing the City Manager to execute on behalf of the City of Jersey Village all necessary documents with Metro Fire Apparatus Specialists, Inc. for the purchase of new Jaws of Life equipment for the City of Jersey Village Fire Department. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2012-29

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012 IN THE AMOUNT OF \$26,337 TO PURCHASE NEW JAWS OF LIFE EQUIPMENT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF JERSEY VILLAGE ALL NECESSARY DOCUMENTS WITH METRO FIRE APPARATUS SPECIALISTS, INC. FOR THE PURCHASE OF NEW JAWS OF LIFE EQUIPMENT FOR THE CITY OF JERSEY VILLAGE FIRE DEPARTMENT; AND PROVIDING FOR SEVERABILITY.

- 6. Consider Resolution No. 2012-38, authorizing and approving membership in the Gulf Coast Coalition Of Cities ("GCCC") for the purpose of protecting the interest of the city and its citizens with respect to electric and gas utility matters; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to legal counsel.**

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7. **Consider Resolution No. 2012-39, authorizing continued membership in the Gulf Coast Coalition of Cities and authorizing the payment of 15 cents per capita to the coalition to fund regulatory and related activities relating to electric and gas utility service.**

Mike Castro, City Manager, introduced these items explaining that both go hand in hand. He explained that in order to continue to be an effective voice at the PUC, RRC, the Legislature, and in the courts, GCCC is requesting cities adopt Resolution No. 2012-38 in order to formalize their membership and authorize intervention in ratemaking proceedings where reimbursement of municipal expenses is authorized. Mr. Castro explained that formalizing our membership will serve to improve efficiency and reduce costs by providing certainty as to which cities are participating.

He then told Council that the City of Jersey Village has maintained membership in the Gulf Coast Coalition of Cities since 1994. The Coalition exists to serve as a voice for the community on matters relating to gas and electric fee matters. The coalition hires outside expertise (currently Lloyd Gosselink, et. al) to represent its members before the Texas Public Utilities Commission (PUC). The coalition's representatives study any proposed electric / gas fee increases and file necessary paperwork to protest before the PUC. Often, the coalition's representatives are the only voice against fee increases. The coalition also offers a counterweight to the City of Houston. It is often the case that the City of Houston will be passive in their negotiations, or offer a compromise that is not in the best interests of suburban entities. The City of Houston tends to favor business interests over residential concerns in their rate negotiations. Were it not for the coalition, we would be forced to accept the "Houston solution" on most matters relating to electric and gas fees.

With this in mind, Mr. Castro explained that Resolution No. 2012-39 relates to payment of a fee for membership in the Coalition. Up to this point, membership has been free. PUC rules stipulate that cities are to be reimbursed for their legal fees relating to rate challenges. Increasingly, many of the matters brought before the PUC have been held to be non-reimbursable. Hence the need for some form of a fee / assessment to cover the costs associated with the research / legal support to challenge electric and gas franchise holders. The proposed fee is \$1,167.90 or 15 cents per capita. On balance, this seems reasonable and appropriate. Costs associated with the fee will be paid for out of the Legal line item within the budget. City Manager Castro told the Council that he has spoken with the city attorney regarding the item and he is in agreement with the City Manager's assessment.

Council engaged in discussion about membership in the GCCC and the assessment fee. They discussed the pros and cons. There were many questions asked by Council concerning membership and the payment of the fee. There was much discussion particularly about what would happen should the City choose to no longer be a member

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of the GCCC. Both the City Manager and the City Attorney answered all the questions that were posed by Council in connection with both of these items.

In completing the question and answer session, and with no further discussion on either item, Mayor Hamley called for a motion on Resolution No. 2012-38. Council Member Ray moved to approve Resolution No. 2012-38, authorizing and approving membership in the Gulf Coast Coalition Of Cities (“GCCC”) for the purpose of protecting the interest of the city and its citizens with respect to electric and gas utility matters; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to legal counsel. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AND APPROVING MEMBERSHIP IN THE GULF COAST COALITION OF CITIES (“GCCC”) FOR THE PURPOSE OF PROTECTING THE INTEREST OF THE CITY AND ITS CITIZENS WITH RESPECT TO ELECTRIC AND GAS UTILITY MATTERS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO LEGAL COUNSEL.

In approving Resolution No. 2012-38, Mayor Hamley then called for a motion on Resolution No. 2012-39. Council Member Erskine moved to approve Resolution No. 2012-39, authorizing continued membership in the Gulf Coast Coalition of Cities and authorizing the payment of 15 cents per capita to the coalition to fund regulatory and related activities relating to electric and gas utility service. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-39

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE GULF COAST COALITION OF CITIES; AND AUTHORIZING THE PAYMENT OF 15 CENTS PER CAPITA TO THE COALITION TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ELECTRIC AND GAS UTILITY SERVICE.

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8. Consider Resolution No. 2012-40, accepting the resignation of Charter Review Commissioner Charles Daniels, and appointing a new alternate member to the 2012 Charter Review Commission.

Lorri Coody, City Secretary, introduced the item. She told Council that Section 9.14 of the city's Home Rule Charter calls for the appointment of a Charter Review Commission every four years, beginning in July, 1996. To comply with same, Council appointed a 10 member commission consisting of seven (7) members and three (3) alternate members at its July 16, 2012 meeting.

In receiving notice of appointment, Mr. Charles Daniels, for personal reasons, has declined appointment, making it necessary to appoint an alternate commissioner to complete the 2012 Charter Review Commission membership.

Council Member Klein is interested in serving in this capacity. There are no other applications for this position.

With no discussion on this item, Council Member Beckwith moved to approve Resolution No. 2012-40, accepting the resignation of Charter Review Commissioner Charles Daniels, and appointing Jill Klein as an alternate member to the 2012 Charter Review Commission. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING THE RESIGNATION OF CHARTER REVIEW COMMISSIONER CHARLES DANIELS, AND APPOINTING A NEW ALTERNATE MEMBER TO THE 2012 CHARTER REVIEW COMMISSION.

9. Discuss and take appropriate action regarding the request to start an annual community service day.

Sheri Sheppard, Council Member, introduced the item. She told Council that she would like to see more Community involvement. She realizes that it is difficult to find time for volunteer work, but at the same time realizes the benefit of community events. She told Council that additional venues are needed that will include more of our citizens in things to do. She stated that she put this item on the agenda in order to discuss having an annual Community Service Day. She explained that the day could include having groups volunteer for community service projects such as weeding flower beds, painting, picking up trash, or even filling in the ruts at Clark Henry Park. The day would permit

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involvement by young families, the girl scouts and other youth groups. Council Member Sheppard closed by stating, if there is enough interest, a Committee could be established to organize the event.

Council engaged in discussion about the request from Council Member Sheppard. There was mention that a similar project was had some years back involving Carol Fox Park. While that project was a success, it did require that staff come behind and maintain the area. It was felt that in order for the Community Service Day to be successful, it should not involve city staff in anyway, either during or after the project. In this light, projects for this type of a project would need to be carefully selected.

Council felt that an article should be placed into the Jersey Village Star in order to determine the level of community interest in such a program. Council also discussed the potential costs involved with such a program as well as project implementation.

Council Member Sheppard agreed to place an article in the Jersey Village Star and report back to Council her findings.

H. MAYOR AND COUNCIL COMMENTS

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

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; 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 congratulated Danny Segundo and Michael Brown on receiving the warm thank you during Citizen's Comments. She also thanked Danny and Michel for their hard work.

Council Member Sheppard: Council Member Sheppard thanked Fire Chief Bitz and Assistant Chief Maher for hosting her at the recent fire school. She stated that it was a wonderful experience.

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Council Member Ray: Council Member Ray announced that both he and Council Member Sheppard are set to attend the “Newly Elected Officials” seminar in Austin, Texas. He also stated that he likes the tenor of community spirit when it comes to Jersey Village sports and he invites everyone to attend a sporting event. He stated he will attend some of these events this year.

Council Member Erskine: Council Member Erskine thanked everyone who has written a US 290 noise mitigation letter and encourages more of Jersey Village residents to write the letters.

Council Member Beckwith: Council Member Beckwith thanked staff for their efforts. He made mention of a new business opening in Jersey Village and encourages everyone to buy in Jersey Village and support local businesses.

I. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:28 p.m.

Lorri Coody, City Secretary