

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 17, 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 7:02 p.m. with the following present:

Mayor, Russell Hamley
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

Council Member, Jill Klein was not present at this meeting.

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, Sheri Sheppard.

C. PROCLAMATIONS

1. **Proclamation recognizing Tuesday, October 2, 2012 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 Petitt of the Jersey Village Police Department.

D. FISCAL 2012-2013 MUNICIPAL BUDGET ITEMS

1. **Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2012-2013.**
 - a. **Receive presentation pertaining to the City of Jersey Village municipal budget for fiscal year 2012-2013.**

Mayor Hamley opened the public hearing at 7:06 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2012-2013 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:

- FY 2013 Budget Goals
- Systemic Issues
- Revenues Vs. Expenditures Graph 2002 thru 2012

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- 2012-13 Revenues and Expenditures, including Supplementals
- Projected General Fund Revenue Graph for FY 2013
- Assessed Valuations – FY 06 through FY 13
- Property Tax Rate
- Sales Tax Trend – FY 09 through FY 12
- Franchise Fees, Service Fees, and Fines
- Supplementals
- Utility Fund
- Budget Calendar

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

With no one signing up to speak, Mayor Hamley closed the public hearing at 7:30 p.m.

2. Discuss and take appropriate action concerning any final changes to the proposed 2012-2013 Municipal Budget.

Mike Castro, City Manager, introduced the item. He explained that this item provides opportunity for the Council to discuss and provide for any needed changes to the 2012-2013 municipal budget before moving on to the item for budget adoption.

City Manager Castro reminded Council of the change that was discussed at the August 20, 2012 Council Meeting concerning a General Fund Expenditure of \$25,000 for the Increase on the Utility Line Item. He suggested that should Council desire to include this change in the budget, a motion with the appropriate seconded and vote is required.

With no discussion on the item, Council Member Beckwith moved to include the item in the 2012-2013 municipal budget. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

3. Consider Ordinance No. 2012-30, adopting the City of Jersey Village municipal budget for fiscal year 2012-2013.

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 2012-2013 and the proposed budget has been filed with the City Secretary.

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Accordingly, Mrs. Kato recommends that the budget be adopted, along with the changes discussed in item D2 of this agenda.

With no further discussion on the matter, Council Member Erskine moved to approve Ordinance No. 2012-30, adopting the municipal budget for fiscal year 2012-2013. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2012-30

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012; 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. 2012-41, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code.

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

- 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 that this year's proposed tax rate (.7425) will exceed the effective tax rate, and therefore, it is necessary to conduct two public hearings. Additionally, the motion to adopt the ordinance setting the tax rate requires language concerning the "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 24, 2012; which means that the tax rate should be adopted before October 24, 2012.

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Council Member Ray moved to approve Resolution No. 2012-41, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-41

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.

5. Conduct a separate vote to ratify the property tax increase of 2.22% as reflected in the newly adopted budget and place the adoption of this tax rate increase on the October 22, 2012 meeting agenda as an action item.

Finance Director, Isabel Kato introduced the item. Since Council adopted a budget that will raise more total property taxes than last year's budget by \$131,189, a 2.22 % increase, and of that amount \$12,381 is tax revenue to be raised from new property added to the tax roll this year, a separate vote to ratify the property tax increase reflected in the newly adopted budget is required.

This vote, must be a record vote, and is in addition to and separate from the vote to adopt the budget or the vote required to set the tax rate that is provided for by Chapter 26, Tax Code, or other law.

Before conducting the record vote, Council engaged in discussion about the meaning of these actions. In the discussions, it was pointed out that residential property tax evaluations remained flat while that for multi-family housing experienced a slight increase. As a result, in maintaining the tax rate at .7425 residents will not see an increase in their property taxes, but the City will see a 2.22% increase in tax revenue due to the increased multi-family housing evaluations.

With no further discussion on the matter, Council Member Erskine moved to ratify the property tax increase of 2.22% reflected in the newly adopted municipal budget for fiscal year 2012-2013 and that the adoption of this tax rate increase be placed the October 22, 2012 meeting agenda as an action item. Council Member Ray seconded the motion. The record vote follows:

Council Member Ray: Aye

Council Member Erskine: Aye

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Council Member Beckwith: Aye
Council Member Sheppard: Aye

Mayor Hamley, although present, did not vote. Council Member Klein was not present and did not vote.

The motion carried.

6. Consider Resolution No. 2012-42, calling for two Public Hearings on the Proposed Tax Rate and setting October 4, 2012 at 7:00 p.m. and October 8, 2012 at 7:00 p.m. as the dates and times for these hearings.

Council Member Beckwith moved to approve Resolution No. 2012-42, calling for two Public Hearings on the Proposed Tax Rate and setting October 4, 2012 at 7:00 p.m. and October 8, 2012 at 7:00 p.m. as the dates and times for these hearings. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,
TEXAS, SETTING TWO PUBLIC HEARINGS ON THE PROPOSED TAX RATE;
AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

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 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.

Carl Richardson, 16202 Singapore Lane, Jersey Village, Texas (713) 849-5911 – Mr. Richardson presented Council with a hand-out which gave a history and summary of the issue concerning his request to install a curb-cut/driveway in order to gain access to his backyard. It also contained pictures of a home on Lakeview Drive that has an approach similar to that which is being requested by Mr. Richardson. The hand-out also contained a sketch depicting a visual perspective of Mr. Richardson's request. Mr. Richardson explained that since his last meeting with Council he has received correspondence for the City Manager related to his request which explains why the drive cannot be permitted and cites the authority of the Public Work's Director. Mr. Richardson explained to Council that the new street repairs are being installed now, so it is critical to get this issue resolved. He merely wants to have access to his backyard. He does not

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intend to use the drive for parking. He stated that he initially had approval of the request by the Building Official, but could not get the permit issued because the Public Works Director denied issuance. He is asking that Council overturn the Public Works Director's decision and grant the permit to install a driveway for access to his backyard.

Zana Carter, 16242 Seattle Street, Jersey Village, Texas (713) 937-6119 – Ms. Carter spoke to Council about noise abatement and the US 290 expansion project. She told Council that she has pursued signatures for the letters to US and State Representatives and to TxDOT. She requested that Council support noise abatement for the US 290 expansion project.

Lynn Hooper, 15722 Acapulco Drive, Jersey Village, Texas (713) 937-0798 – Mr. Hooper thanked the City for his new street, but wondered when the street lights would be re-installed. He said that his street gets very dark and would like to have the street lights re-installed.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to Council about noise and abatement for the US 290 expansion project. He presented a hand-out to Council and he thanked everyone for their continued support and work on this issue.

F. CITY MANAGER'S REPORT

City Manager, Mike Castro in giving his monthly report, called special attention to Item 10 – the 2012 Annual Red Light Camera Report.

- 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 2012**
- 2. Open Records Request**
- 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**
- 10. 2012 Annual Red Light Camera Report**

In response to the report, Council engaged in discussion about the Red Light Camera (RLC) report. There was discussion about receiving statistics for the locations before the RLC's were installed. Council wanted to know these numbers so comparisons could be made to what is

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being reported now. City Manager Castro explained that there is information available for the 18 month period prior to install. Chief Forester explained that the detail for prior year information is found on the summary page. Nonetheless, Council asked that additional information be provided. Chief Forester stated he would submit same.

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.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on August 20, 2012.**
- 2. Consider Resolution No. 2012-43, reviewing and approving the investment policy and investment strategies used for city funds in compliance with the Texas Government Code.**

RESOLUTION NO. 2012-43

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.

- 3. Consider Resolution No. 2012-44, canceling the Regular Council Meeting to be held on October 15, 2012 at 7:00 p.m. in the Civic Center, 16327 Lakeview Drive, Jersey Village, Texas; and calling a Special Council Meeting to be held on October 22, 2012 at 7:00 p.m. in the Civic Center, 16327 Lakeview Drive, Jersey Village, Texas.**

RESOLUTION NO. 2012-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, CANCELING THE REGULAR COUNCIL MEETING TO BE HELD ON OCTOBER 15, 2012 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; CALLING A SPECIAL COUNCIL MEETING TO BE HELD ON OCTOBER 22, 2012 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

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

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

Nays: None

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The motion carried.

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

4. Consider Resolution No. 2012-45, approving the application of the Municipal Court Clerk's appointment of Deputy Clerks.

Isabel Kato, Finance Director, introduced the item. She explained that Section 5.07 of the Charter provides that the Municipal Court Clerk, with approval of Council, may appoint deputy clerks and such appointed clerks shall have the power to administer oaths, make certificates, affix the seal of the court, and perform all acts usual and necessary in issuing process and conducting business of the court.

Accordingly, application is made by Paul Rex, Municipal Court Clerk; seeking approval of the appointment of the following Municipal Court Deputy Clerks:

Ernesto Rios, effective April 11, 2011; and
Yaku Ray, effective September 10, 2012.

Ms. Kato told Council that while Ernesto Rios has been working for the City since his employment on April 11, 2011, his appointment was inadvertently overlooked.

Council engaged in discussion about the appointment of Ernesto Rios. There was concern about the back dating of his appointment to April 11, 2011. The City Attorney explained that the approval of the appointment is required by Charter. If someone should disagree with the late process, the remedy would be a lawsuit seeking that the City comply with the Charter, which would seem like a moot point, since that is what it is happening now, even though it is late.

Hearing this explanation, Council Member Sheppard moved to approve Resolution No. 2012-45, approving the application of the Municipal Court Clerk's appointment of Deputy Clerks. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE MUNICIPAL COURT CLERK'S APPLICATION FOR APPOINTMENT OF DEPUTY CLERKS.

H. REGULAR AGENDA

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- 1. Discuss and take appropriate action regarding the request of Carl Richardson that Council overturn the Public Works Director's decision to deny the issuance of a permit for the placement of a curb cut and driveway along Carlsbad for the property located at 16202 Singapore in accordance with Section 58.61 of the Jersey Village Code of Ordinances.**

Russell Hamley, Mayor introduced the item. Background information is as follows:

During the public comment section of the August City Council meeting, Mr. Carl Richardson (16202 Singapore) asked that City Council reconsider his request to have a concrete approach installed that would allow him to have access to his rear property. His request was denied by the Public Works Director.

Erik Tschanz originally spoke with Mr. Richardson in mid-July about the possibility of two items. The first was a request to widen his driveway in order to have better access to his side entrance. While the request by Mr. Richardson was late and concrete had already been poured along Carlsbad, the City granted his request.

Mr. Richardson's second request was to add an additional approach to the rear of his property. Mr. Richardson wanted to have access to his backyard in order to make some improvements. Upon review of the request, the Public Works Director looked at the area along Carlsbad and did not see a case where an additional separate approach existed. While there are a few homes that do have large driveways with backyard access the approach is not separate, it is in conjunction with the existing driveway. In this respect, it was felt the request was not in the best interest of the community, as the second approach would be out of character with the flow of the neighborhood.

Mr. Richardson stated that he received approval from the City's Building Official, Christian Somers, that this type of improvement would be allowed. Christian did receive an e-mail regarding both the widening of his driveway and the addition of a second approach on July 16th. Christian replied to Mr. Richardson on July 17th after reviewing his drawing, and informed him that he was "good to go". Adrian Martinez (contractor) did pull a permit to "remove and replace existing driveway" only. Our records do not indicate that an additional permit was pulled for the second approach, or to expand the driveway.

The Public Works Director did meet with Mr. Richardson regarding his request (the week of August 6th – 10th) and explained why he was not going to allow the additional approach. Mr. Richardson seemed to understand; however, he did state that he would talk to the City Manager and Council Members regarding his request.

The Public Works Director also took into consideration that the City is investing a lot of time and resources into having Kendig Keast review our ordinances concerning future teardowns and potential property enhancements. I would like to have a standard put in

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place that will not allow any future approaches to back yards separate from existing driveways.

Discussion was had by Council pertaining to the request. City Manager Castro explained that while Mr. Richardson's request pertains to a curb-cut and access to his particular property, the request is actually more than that because Council in granting same would be setting policy outside the City's current Ordinance which places the final call on decisions of this type with the Public Works Director. Nonetheless, City Manager Castro explained that staff is subject to the oversight of Council and will act accordingly.

Council engaged in discussion about the 50% landscaping requirement and the number of other homes in the city that have this type of driveway approach to the backyard. Council also discussed the number of homes that have driveways that are wider than 30 feet. Staff fielded questions pertaining to these topics and answered accordingly.

With no further discussion on the matter, Council Member Ray moved to overturn the Public Works Director's decision to deny the issuance of a permit for the placement of a curb cut and driveway along Carlsbad for the property located at 16202 Singapore in accordance with Section 58.61 of the Jersey Village Code of Ordinances. The motion died for lack of a second.

Mayor Hamley called the next items out of order on the agenda as follows:

I. CLOSE THE REGULAR SESSION

Mayor Hamley closed the Regular Session at 8:10 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney and Section 551.072 - Deliberation regarding real property.

J. EXECUTIVE SESSION

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 and Section 551.072 to discuss the relocation of utility infrastructure associated with the U.S. Hwy 290 expansion and the filing of a declaratory suit against the Texas Transportation Commission regarding same. Adam Friedman, Blackburn Carter, City Attorney**

K. ADJOURN EXECUTIVE SESSION

Mayor Hamley adjourned the Executive Session at 8:50 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

L. CONVENE REGULAR SESSION

- 1. Discuss and take appropriate action on matters discussed in Executive Session, including the relocation of utility infrastructure associated with the U.S. Hwy 290**

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expansion and the filing of a declaratory suit against the Texas Transportation Commission regarding same.

Mike Castro, City Manager, introduced the item. He told Council that should they desire, now is the time to act on any measure discussed in the Executive Session. With no discussion, Council Member Beckwith moved to authorize the city manager to initiate all actions necessary to relocate utility infrastructure outside of the proposed Texas Department of Transportation Right of Way associated with the expansion of U.S. Hwy 290. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Council Member Beckwith then moved to authorize the filing of litigation against the Texas Transportation Commission; and Ted Houghton, in his official capacity as Chair of the Texas Transportation Commission, seeking declaratory relief relating to reimbursement for land acquisition costs associated with the relocation of utility infrastructure necessitated by the expansion of U.S. Hwy 290. Council Member Erskine seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Mayor Hamley returned to the regular order of the agenda calling the following item as follows:

H. REGULAR AGENDA - Continued

- 2. Consider Resolution No. 2012-46, 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 the City employees have their Health Insurance with Texas Municipal League Employee Benefits Pool. TML offers two plans that are identical in coverage with the exception of the annual deductible and out of pocket maximums. 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 7% increase for the employee "High Plan" and a 2% increase for the employee "Standard Plan."

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She introduced Consultant Dick Hillyer who addressed Council. He gave the historical background concerning the City's insurance coverage for health benefits, stating that coverage with TML began in 2009.

At that time, 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 in 2010, a 1.7% increase last year, and a 4.5 % is expected this year. Given the initial 10% reduction and taking into account the percentage increase since then, Mr. Hillyer explained that we are about back to where we started in 2009, and that is pretty much unheard of in the industry. As a result, Consultant Hillyer does not recommend that the City go out for bid.

Council engaged in discussion about the estimated re-rates. Consultant Hillyer confirmed that the Resolution, if passed, will only require publication if the re-rate numbers are greater than 7%. He told Council that the current estimates are about 4.5% so in approving the Resolution, he will continue to work with TML to reduce the rates further but publication will not be necessary.

Council asked about the amount of funds budgeted for this expenditure in 2012-2013. City Manager Castro explained that the budget included numbers based upon a 15% rate increase, so anything less than 15% will be a budget savings.

With no further discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2012-46, 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 Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING ADVERTISEMENT FOR REQUEST FOR PROPOSALS FOR EMPLOYEE GROUP BENEFITS IF THERE IS AN INCREASE IN TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL'S RE-RATE NUMBERS OVER 7% OF THE CURRENT MEDICAL PREMIUMS FOR EITHER PLAN.

3. **Consider Resolution No. 2012-47, receiving the Planning and Zoning Commission's Preliminary Plat Recommendation for the Fairview Industrial Park Development,**

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which is comprised of a 14.9953 acre tract of land located in the City's extra-territorial jurisdiction (ETJ).

Debra Mergel, Chairman of the Planning and Zoning Commission, presented the item. She told Council that the Planning and Zoning Commission met on September 5, 2012 and recommended that the City Council conditionally approve the preliminary plat submitted by Fairview Equity Holdings, LLC and Brian Nawara for the Fairview Industrial Park Development with the following modifications:

- a. The Preliminary Plat must include any and all revisions/recommendations made by Harris County, Texas; and
- b. The Preliminary Plat must provide a signature line for the Director of Public Works and Developer must submit one mylar (four mil) reproducible of the plat to the city upon approval.

This item is to receive the Commission's recommendation.

With limited discussion on the matter, Council Member Ray moved to approve Resolution No. 2012-47, receiving the Planning and Zoning Commission's Preliminary Plat Recommendation for the Fairview Industrial Park Development, which is comprised of a 14.9953 acre tract of land located in the City's extra-territorial jurisdiction (ETJ). Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY PLAT RECOMMENDATIONS FOR THE FAIRVIEW INDUSTRIAL PARK DEVELOPMENT, WHICH IS COMPRISED OF A 14.9953 ACRE TRACT OF LAND LOCATED IN THE CITY'S EXTRA-TERRITORIAL JURISDICTION (ETJ).

- 4. Consider Resolution No. 2012-48, approving the Preliminary Plat Recommendations of the City of Jersey Village Planning and Zoning Commission concerning the Fairview Industrial Park Development, a 14.9953 acre property located in the City's extra-territorial jurisdiction (ETJ).**

Danny Segundo introduced the item. He told Council that the Resolution approves the Planning and Zoning Commissions recommendation to approve the preliminary plat with the stated modifications.

With no discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2012-48, approving the Preliminary Plat Recommendations of the City of

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Jersey Village Planning and Zoning Commission concerning the Fairview Industrial Park Development, a 14.9953 acre property located in the City's extra-territorial jurisdiction (ETJ). Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE PRELIMINARY PLAT RECOMMENDATIONS OF THE CITY OF JERSEY VILLAGE PLANNING AND ZONING COMMISSION CONCERNING THE FAIRVIEW INDUSTRIAL PARK DEVELOPMENT, A 14.9953 ACRE PROPERTY LOCATED IN THE CITY'S EXTRA-TERRITORIAL JURISDICTION (ETJ).

- 5. Consider Resolution No. 2012-49, authorizing the City Manager to enter into a three year lease purchase agreement with Motorola and authorize the order of the digital radio equipment as approved in the 2012-2013 Fiscal budgets.**

Mark Bitz, Fire Chief, introduced the item. Background information is as follows: The replacement of radios in the Communications, Fire and Police Departments is scheduled with the adoption of the 2012-2013 Fiscal Budget. Staff is requesting that council authorize the city manager to begin entering into contracts with Motorola to begin the order and prepare for the installation of the new 800 digital radio system as approved in the 2012-2013 Fiscal Budget.

The Motorola radios being purchased will replace 800 analog and UHF radios and convert the entire radio system to 800 Digital. The purchase of this equipment is essential to meet requirements of Harris County and the P25 digital platform outlined from the FCC.

Signing the necessary contracts several weeks before the beginning of the budget year will assure the equipment will be ordered in advance and ahead of other agencies and provide for the first payment to be made prior to the close of the 2012-2013 budget years. The first lease payment is not due until one year after the order is made.

With limited discussion on this item, Council Member Erskine moved to approve Resolution No. 2012-49, authorizing the City Manager to enter into a three year lease purchase agreement with Motorola and authorize the order of the digital radio equipment as approved in the 2012-2013 Fiscal budgets. Council Member Beckwith seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

RESOLUTION NO. 2012-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE LEASE/PURCHASE OF RADIO COMMUNICATIONS EQUIPMENT FROM MOTOROLA THROUGH THE HOUSTON/GALVESTON AREA COUNCIL; AUTHORIZING THE CITY MANAGER TO EXECUTE A SYSTEMS PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE MOTOROLA SOFTWARE LICENSE AND MAINTENANCE AND SUPPORT AGREEMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE MUNICIPAL LEASE AND FINANCING DOCUMENTS WITH MOTOROLA SOLUTIONS, INC.; PROVIDING THAT THE CITY'S OBLIGATIONS UNDER THE AGREEMENTS SHALL BE SUBJECT TO ANNUAL APPROPRIATION OR RENEWAL BY THE CITY COUNCIL AS SET FORTH THEREIN AND THE CITY'S OBLIGATIONS UNDER THE AGREEMENT SHALL NOT CONSTITUTE GENERAL OBLIGATIONS OF THE CITY OR INDEBTEDNESS UNDER THE CONSTITUTION OR LAWS OF THE STATE OF TEXAS.

6. **Consider Resolution No. 2012-50, 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.**

Lorri Coody, City Secretary, introduced the item. She told Council that every year during the September Council Meeting; City Council makes appointments to its Boards and Commissions. The City currently has five Boards and/or Commissions which are 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. Each one of these Boards has positions wherein the term of office is ending, resulting in consideration of applicants to fill these new terms.

The Planning and Zoning Commission

Currently, there are no vacant positions on the Planning and Zoning Commission; however, the term of office for Positions 5, 6, and 7 expire on September 30, 2012. The new term for these positions begins on October 1, 2012 and will end on September 30, 2014.

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

Bill Barrett Richard Linden Ratan K. Jha Charles Daniels Vily Frenk

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J. Royce Price Howard A. Mead Harold F. Smith, Jr.

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 moved to approve the following appointments to this Commission for the term to begin October 1, 2012 and end September 30, 2014:

| | <u>POSITION</u> | <u>TERM BEGINS</u> | <u>TERM ENDS</u> |
|----------------|-----------------|--------------------|------------------|
| DEBRA MERGEL | 5 | 10/01/12 | 09/30/14 |
| JOYCE BERUBE | 6 | 10/01/12 | 09/30/14 |
| RICK FAIRCLOTH | 7 | 10/01/12 | 09/30/14 |

Council Member Ray seconded the motion.

Discussion was had on the motion. There was some concern on the Council that perhaps consideration should be given to the new applicants and a suggestion was made that consideration be given to Howard Mead and Vily Frenk. With no further discussion on the motion, Mayor Hamley called for the vote on the motion. The vote follows:

Ayes: Council Members Ray, Erskine, and Beckwith

Nays: Council Member Sheppard

The motion carried.

The Board of Adjustment

Currently, there are no vacant positions on the Board of Adjustment, but the term of office for Positions 4, 5, and A2 will expire on September 30, 2012. The new term for these positions begins on October 1, 2012 and will end on September 30, 2014.

There are no applications on file with the City Secretary from residents interested in serving on this Board. The current members serving on the Board desire re-appointment.

In consideration of the desire of those seeking reappointment, Council Member Beckwith moved to approve the following appointments to this Board for the term to begin October 1, 2012 and end September 30, 2014:

| | <u>POSITION</u> | <u>TERM BEGINS</u> | <u>TERM ENDS</u> |
|------------------------|-----------------|--------------------|------------------|
| GERALD LAWS | 4 | 10/01/12 | 09/30/14 |
| ANDREW HENDERSON | 5 | 10/01/12 | 09/30/14 |
| KEN NGUYEN (Alternate) | A2 | 10/01/12 | 09/30/14 |

Council Member Sheppard seconded the motion. The vote follows:

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

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 1, 2, 3, and 4 to expire on September 30, 2012. The new term for these positions begins on October 1, 2012 and will end on September 30, 2014. Board Member M. Reza Khalili – Position 1 has indicated that he does not desire reappointment to this Board once his current term expires, and Board Member Benny Grimmer did not respond to inquiries so his desire to serve is unknown.

There are no applications on file with the City Secretary from residents interested in serving on this Board.

Board members Frank Gullo and Clint Childers who are currently serving on the Board desire re-appointment.

In consideration that there are no new applicants desiring appointment to this Board and there is desire of those currently serving to seek re-appointment, Council Member Beckwith moved approves the following appointments to this Board for the positions and terms listed and moves to leave positions 1 and 3 vacant:

| | <u>POSITION</u> | <u>TERM BEGINS</u> | <u>TERM ENDS</u> |
|-----------------|-----------------|--------------------|------------------|
| VACANT | 1 | 10/01/12 | 09/30/14 |
| FRANK GULLO | 2 | 10/01/12 | 09/30/14 |
| VACANT | 3 | 10/01/12 | 09/30/14 |
| CLINT CHILDRESS | 4 | 10/01/12 | 09/30/14 |

Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

In completing the vote, Council asked that letters be sent from the pool of applicants applying for the P&Z position and any other applicants advising them of any open board/committee positions that were not filled this evening.

Recreation and Events Committee

Currently, there are two vacant positions on the Recreation and Events Committee. Appointment for the vacancy in Position 2 will be for the unexpired term that ends

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September 30, 2013, while the other vacancy is for Position 7, and appoint for it will be to fill the new term which begins on October 1, 2012 and ends September 30, 2014. In addition to the two vacancies, the term of office for Positions 5 and 6 will expire on September 30, 2012. The new term for these positions begins on October 1, 2012 and will end on September 30, 2014.

There are no applications on file with the City Secretary from residents interested in serving on this Committee.

Committee members Frances Wubbenhorst and Doris Michalak who are currently serving on this Committee desire re-appointment.

In consideration that there are no new applicants desiring appointment to this Committee and there is desire of those currently serving to seek re-appointment, Council Member Sheppard moved to approve the following appointments for this Committee for the terms outlined below:

| | <u>POSITION</u> | <u>TERM BEGINS</u> | <u>TERM ENDS</u> |
|---------------------|-----------------|--------------------|------------------|
| VACANT | 2 | 10/01/11 | 09/30/13 |
| FRANCES WUBBENHORST | 5 | 10/01/12 | 09/30/14 |
| DORIS MICHALAK | 6 | 10/01/12 | 09/30/14 |
| VACANT | 7 | 10/01/12 | 09/30/14 |

Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Golf Course Advisory Committee

Currently, there are no vacant positions on the Golf Course Advisory Committee; however, the term of office for Positions 1 through 7 will expire on September 30, 2012. The new term for these positions begins on October 1, 2012 and will end on September 30, 2013. Committee Members Bill Schuster – Position 4 and Bill Smith – Position 5 have announced that they do not desire reappointment when their current term expires.

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

Wallace Mitchell Ronald Schielke Dewayne Ashdown Steve Gill Ratan K. Jha

In addition to the new applicants, the following members desire re-appointment to this Committee for a one year term beginning October 1, 2012 and ending September 30, 2013:

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| | <u>POSITION</u> | <u>APPOINTED</u> | <u>CURRENT TERM ENDS</u> |
|---|-----------------|------------------|------------------------------|
| VANCE BURNHAM | 1 | 11/04 | 09/30/12 |
| GREG FAIR | 2 | 05/09 | 09/30/12 |
| JANE ARNET | 3 | 04/12 | 09/30/12 |
| BILL SCHUSTER – Declines Reappointment | 4 | 09/03 | 09/30/12 |
| BILL SMITH – CHAIRMAN - Declines Reappointment | 5 | 09/02 | 09/30/12 |
| HAROLD SMITH, JR. | 6 | 10/08 | 09/30/12 |
| JAMES SAPPINGTON | 7 | 10/11 | 09/30/12 |

In consideration of the new applicants desiring appointment to this Committee and the desire of those seeking reappointment, Council Member Rod moved to approve the following appointments to this Committee for a one year term beginning October 1, 2012 and ending September 30, 2013:

| | <u>POSITION</u> | <u>TERM BEGINS</u> | <u>TERM ENDS</u> |
|-------------------|-----------------|--------------------|------------------|
| VANCE BURNHAM | 1 | 10/01/12 | 09/30/13 |
| GREG FAIR | 2 | 10/01/12 | 09/30/13 |
| JANE ARNET | 3 | 10/01/12 | 09/30/13 |
| STEVE GILL | 4 | 10/01/12 | 09/30/13 |
| RONALD SCHIELKE | 5 | 10/01/12 | 09/30/13 |
| HAROLD SMITH, JR. | 6 | 10/01/12 | 09/30/13 |
| JAMES SAPPINGTON | 7 | 10/01/12 | 09/30/13 |

Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

In completing the appointments, Mayor Hamley called for a motion to approve Resolution 2012-50. Council Member Sheppard moved to approve Resolution No. 2012-50, 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. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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RESOLUTION NO. 2012-50

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 ASSIGNING PLACE NUMBERS AND APPOINTING MEMBERS TO SERVE ON THE RECREATION AND EVENTS COMMITTEE.

7. Discuss and take appropriate action concerning the continuation of the City of Jersey Village's Recycling Program.

Danny Segundo, Director of Public Works, introduced the item. Background information is as follows: City Manager Mike Castro received an email from Jim Adamoli, President of Tascon Industries on September 5th, stating that effective October 31, 2012 Tascon Industries would discontinue its participation in the City's recycling program.

City Council approved a Solid Waste contract with WCA at its August 20th City Council meeting. Due to these unforeseen circumstances, no provision for recycling was included in the contract. The contract can still be amended to include curb recycling at a cost of \$2.35 per resident. Unfortunately, the cost includes every house hold whether residents choose to participate or not.

In the contract from WCA, the City received a reduction in the cost of service (\$10.95 from \$13.86 per home) saving the City approximately \$75,000. With the added cost of a recycling program through WCA, the cost would increase to \$13.30 per home.

This item is to determine Council's desire to continue the recycling program and whether the program service should be added into the new contract with WCA.

Council engaged in discussion about contracting these services with WCA. There was concern that the company could charge residents for recycling services and then take the recycling material to the dump. Council wondered if the contract contained any specifics requirements that would address these concerns. Council also wondered how many residents are actually recycling and wondered if recycling dumpsters would not be a better idea. City Manager Castro explained that the dumpster idea had been researched in the past and the problem that surfaced is that un-manned dumpsters created "magnets" for hazardous waste products. He added that a few years back a study was conducted to determine resident participation. At that time it was around 25% to 30%.

Council discussed that the WCA proposal was one that did not require that recyclables be separated. A resident interested in the program could place plastics, paper and aluminum into the 18 gallon container provided and WCA would pick-up same for recycling. The WCA schedule for recycling pick-up was proposed at once a week. Some members felt that this type of process may increase resident participation.

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Council discussed the pros and cons in moving forward with recycling and that it might be beneficial that once the matter is decided an article be placed in the JV Star to let residents know about the program.

Council directed Staff to gather more information on the following items to be presented at the October 4 or October 8 meetings in order to make a final decision concerning recycling:

1. What is the WCA proposal?
 2. What items are included in recycling?
 3. Are there any price concessions?
 4. Is a short-term tenure possible?
 5. What are the requirements for WCA in disposing of the recyclable materials?
8. **Consider Resolution No. 2012-51, selecting individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places 11, 12, 13, and 14 (Workers' Compensation, Property and Liability Benefits).**

Lorri Coody, City Secretary, introduced the item. She told Council that The Texas Municipal League Intergovernmental Risk Pool Board of Trustees Term of Office for Places 11, 12, 13, and 14 will expire. The term of office for these positions is six years. A slate of interested candidates appears on the official ballot for election. Along with each name is a brief summary of qualifications for each candidate. The ballot must be received by the Board Secretary no later than September 30, 2012 and the official ballot must be properly signed and all pages of the ballot must be mailed in accordance with the instructions in order for the City of Jersey Village's vote to be counted.

The Pool offers various insurance and risk coverage including Workers' Compensation, Liability Insurance, Property Insurance and Special Risk Coverage.

After limited discussion, Council Member Beckwith moved to nominate the following individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places 11, 12, 13, and 14:

Place 11: Greg Ingham; **Place 12**: Larry Gilley; **Place 13**: Byron Black; and **Place 14**: Pat Norriss. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Mayor Hamley then called for a motion to approve Resolution 2012-51 with the selected names. Council Member Beckwith moved to approve Resolution No. 2012-51, selecting individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places

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11, 12, 13, and 14 (Workers' Compensation, Property and Liability Benefits). Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SELECTING INDIVIDUALS TO SERVE ON THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES – PLACES 11, 12, 13, AND 14.

- 9. Consider Resolution No. 2012-52, selecting an individual to serve on the Texas Municipal League (TML) Intergovernmental Employee Benefits Pool Board of Trustees – TML Region 14 (Health Insurance Benefits).**

Lorri Coody, City Secretary, introduced the item. She told Council that the Texas Municipal League Intergovernmental Employee Benefits Board of Trustee Terms for Region 14 will expire on September 30, 2012. The Pool Trust Agreement provides that the term of office is three years. Pool Members have already submitted nominations and three candidates appear on the ballot for election. The ballot must be received by the Board Secretary no later than 5:00 p.m. on September 26, 2012 and the vote for a particular candidate must take place during an official meeting of the governing body.

In completing the introduction, Council Member Ray moved to approve Resolution No. 2012-52, selecting Jay Stokes as the individual to serve on the Texas Municipal League (TML) Intergovernmental Employee Benefits Pool Board of Trustees – TML Region 14 (Health Insurance Benefits). Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SELECTING AN INDIVIDUAL TO SERVE ON THE TML INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL BOARD OF TRUSTEES – TML REGION 14.

- 10. Consider Resolution No. 2012-53, designating a city representative and an alternate representative to the Houston-Galveston Area Council's 2013 General Assembly.**

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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 and an alternate representative for the Houston Galveston Area Council 2013 General Assembly. Former Council Member Mark Maloy was the designated representative and Councilmember Harry Beckwith was the designated alternate representative for the Houston Galveston Area Council 2012 General Assembly.

In completing the introduction, Mayor Hamley opened nominations for selecting a City representative for the Houston Galveston Area Council 2013 General Assembly. Council Member Erskine moved to nominate Council Member Beckwith to serve in this capacity. The motion was seconded by Council Member Ray. With no other nominations being made, the vote follows:

Ayes: Council Members Ray, Erskine, and Sheppard

Nays: None

Abstain: Council Member Beckwith

The motion carried.

Mayor Hamley then opened nominations for selecting an alternate representative for the Houston Galveston Area Council 2013 General Assembly. Council Member Beckwith moved to nominate Council Member Sheppard to serve in this capacity. The motion was seconded by Council Member Ray. With no other nominations being made, the vote follows:

Ayes: Council Members Ray, Erskine, and Beckwith

Nays: None

Abstain: Council Member Sheppard

The motion carried.

Council Member Ray moved to approve Resolution No. 2012-53, designating Harry Beckwith as the City Representative and Sheri Sheppard as the Alternate Representative to the Houston-Galveston Area Council's 2013 General Assembly. Council Member Erskine seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2012-53

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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 2013 GENERAL ASSEMBLY.

11. Conduct the City Manager's annual performance evaluation and consider setting salary for budget year 2012-2013.

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 Erskine stated that he is very pleased with Mr. Castro's performance and feels that he continues to do a tremendous job for the City. He pointed out that Mr. Castro is an excellent planner/executor, is highly knowledgeable in his field, and has strong financial management skills that have allowed the City to maintain a strong balance sheet through this recession. He went on to say that while there has been much growth in the areas of Public Relations and Communications, there is still some room for improvement. He stated that the elements of his evaluation of Mr. Castro's performance ranged from (7's) to (9's). He recommended a 6% or \$126,546.13 increase in salary, noting Mr. Castro's recent PhD accomplishment; and an increase in his car allowance to \$6,614.40.

Council Member Beckwith stated that the elements of his evaluation of Mr. Castro's performance ranged from (7's) to (9's) as well. He stated that his performance is well above average in the areas of Fiscal Management, Decision-making, Knowledge of the Organization, and Professional Growth. He has confidence that Mr. Castro can "make things happen." He pointed out that Mr. Castro is well organized, is timely with his execution of plans and responses, and is responsive to the needs of all. Mr. Beckwith sited the composure and experience of Mr. Castro's staff as an example of his quality leadership skills, pointing out that staff is well motivated, enthusiastic, and demonstrates respect for the organization and for the City Manager. In terms of improvement, Council Member Beckwith stated that there really is not much. He commented that Mr. Castro can come across a bit terse and slightly confrontational when questioned, but finds that he answers questions with honesty which is appreciated. In terms of suggested changes in the organization, Council Member Beckwith suggested Mr. Castro might include a local high school or college student as an intern wherein he would be the mentor. The benefits of such a program may prove rewarding for both the student and the teacher. He recommended a 3% increase in base pay to \$122,965 and an increase in car allowance to \$6,425.

Council Member Sheppard began the evaluation, identifying communication skills as one of Mr. Castro's strengths. She stated that Mr. Castor does an excellent job in keeping Council informed. She specifically mentioned her appreciation of the Friday "FYI's" and

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the importance of receiving the Significant Event Notifications as well as phone calls when the situation demands. Council Member Sheppard also pointed out Mr. Castro's financial strengths, his ability to work within the City's budget and means, and his ability to lead his staff effectively. She felt that the City could increase transparency when dealing with issues like the US 290 expansion project and other controversial issues. She recommended a 4% increase in base pay to \$124,357 and an increase in car allowance to \$6,500.

Council Member Ray stated that the elements of his evaluation of Mr. Castro's performance ranged from (7's) to (8's) with a (9) on knowledge of municipal and governmental affairs. He believes Mr. Castro's strengths to be his timely responses and follow-up to Council questions, his excellent depth and knowledge in municipal and governmental affairs, and his responsible and sensible views on budget expenditures. He specifically pointed out as an excellent attribute his appreciation that Mr. Castro attends and is involved in community activities. Areas for change/improvement are not too many; however, Council Member Ray would like, if at all possible, to have greater latitude in communicating directly with Mr. Castro's staff. Currently, Mr. Castro is the point of contact on all issues. He recommended a 4% increase in base pay to \$124,357 and an increase in car allowance to \$6,500.

Mayor Hamley stated that most comments have already been stated. He agreed that Mr. Castro's strength is Fiscal Management and gave him a (10) on this element in the performance evaluation. Taking under consideration the recent recession and all of the unfunded mandates, he told Mr. Castro that he is very pleased with the financial condition of the City. In terms of improvement, Mayor Hamley told Mr. Castro that he continues to be terse when speaking with staff, council and the public. He would like to see improvement in this category. Mayor Hamley recommended a 3% pay increase in base pay to \$123,000 and no increase in the car allowance.

In completing the evaluation comments, Council Member Beckwith moved to increase the base salary of the City Manager for budget year 2012-2013 to \$124,000 and increase his car allowance to \$6,500. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Beckwith, Sheppard, and Ray

Nays: Council Member Erskine

The motion carried.

M. 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:

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- 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 Ray: Council Member Ray commended Danny Segundo for his work as Public Works Director and for keeping a look out for the good of the City.

Council Member Sheppard: Council Member Sheppard wished everyone a good week.

Council Member Beckwith: Council Member Beckwith thanked Isabel Kato, Finance Director, for all her work. He was very impressed with the budget.

Council Member Erskine: Council Member Erskine recognized Ernesto Rios and Officer Hall both who work in Municipal Court. He stated that he watched the recent You Tube Video and was impressed with how these Jersey Village employees handled themselves. He stated that the video captured the kind of people you would want to have working for your City. They handled themselves so well the You Tube Video could be used for training purposes.

N. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:25 p.m.

Lorri Coody, City Secretary