

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON DECEMBER 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 Pro tem Jill Klein at 7:06 p.m. with the following present:

Mayor Pro tem, Jill Klein	City Manager, Mike Castro
Council Member, Justin Ray	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Bobby Gervais
Council Member, Harry Beckwith III, PE	
Council Member, Sheri Sheppard	

Mayor Russell Hamley 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.

Planning and Zoning Commission members in attendance: Chairman, Debra Mergel; Commissioner, Joyce Berube; and Commissioner, Barbara Freeman.

2012 Charter Review Commission members in attendance: Chairman, Rene Lozano; Commissioner, Joyce Berube; Commissioner, Susan Edwards; and Commissioner, Barbara Freeman.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. **Prayer and Pledge:** Sheri Sheppard, Council Member

C. 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.

Zana Carter, 16242 Seattle Street, Jersey Village, Texas (713) 937-6119 – Ms. Carter spoke to Council about noise mitigation and the US 290 expansion project. She thanked Mayor Hamley and Council Member Rod Erskine for attending the Thursday, December 13, 2012 TXDOT Public Meeting and for their spoken words at that meeting. She told Council that the only way to receive noise abatement for the US 290 expansion project in the City of Jersey Village is to get the parameters for the abatement established before construction on the project begins. Ms. Carter also spoke to Council about the lighting on that portion of Jones Road that runs through the City of Jersey Village. She told Council that this section of Jones Road is very dark at night and she has safety concerns due to heavy traffic and the fair amount of foot traffic on this section of roadway. She specifically pointed out the intersection of Pleasant Colony and Jones Road, stating that there are no lights at this intersection and it is very dark.

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D. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. In addition to the items listed below, Police Chief Eric Foerster introduced two (2) new Peace Officers joining his department.

- 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 November 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. Greater Harris County Emergency Notification System Fact Sheet**
- 11. Introduction of new Police Officers**

E. 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 November 19, 2012.**
- 2. Consider Resolution No. 2012-65, authorizing the City Manager to enter into a Management Agreement with the Jersey Village Crime Control and Prevention District.**

RESOLUTION NO. 2012-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MANAGEMENT AGREEMENT WITH THE JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT.

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3. Consider Ordinance No. 2012-42, ordering a general election to be held on May 11, 2013, for the purpose of electing a mayor and (2) councilmembers; providing for ballots; designating the time and place of holding such elections; providing appointment of election officials and their compensation; providing for notices; providing for publication; providing for a runoff election if required; and providing for a joint election as authorized by Chapter 271 of the Texas Election Code.

ORDINANCE NO. 2012-42

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 11, 2013, FOR THE PURPOSE OF ELECTING A MAYOR AND (2) COUNCILMEMBERS; PROVIDING FOR BALLOTS; DESIGNATING THE TIME AND PLACE OF HOLDING SUCH ELECTIONS; PROVIDING APPOINTMENT OF ELECTION OFFICIALS AND THEIR COMPENSATION; PROVIDING FOR NOTICES; PROVIDING FOR PUBLICATION; PROVIDING FOR A RUNOFF ELECTION IF REQUIRED; PROVIDING FOR A JOINT ELECTION AS AUTHORIZED BY CHAPTER 271 OF THE TEXAS ELECTION CODE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

The motion carried.

F. REGULAR AGENDA

1. **Consider Resolution No. 2012-66, authorizing rescission of an existing tax-exempt Lease-Purchase Agreement and approving and authorizing the City Manager to execute a new Municipal Lease Agreement with Motorola Solutions, Inc. for the lease-purchase of radio communications equipment from Motorola through the Houston/Galveston Area Council; providing that the City's obligations under the Agreement 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.**

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

In June 2012, the City issued the City of Jersey Village, Texas General Obligation Refunding Bonds, Series 2012 (the "Bonds") in order to achieve debt service savings and

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lower the City's overall debt service. The Bonds were issued and designated as "qualified tax-exempt obligations for financial institution" pursuant to relevant provisions of the Internal Revenue Code of 1986, as amended (the "IRS Code"). The Bonds were issued as qualified tax-exempt obligations because such designation allows purchasers of the Bonds to receive preferential tax treatment on the interest they receive on the Bonds, which in turn allows the purchasers to offer and the City to pay a lower interest rate on the Bonds than what would be offered and paid if such designation were not made.

Pursuant to the provisions of the IRS Code, an issuer of municipal debt, such as the City, is allowed to designate and issue only up to \$10,000,000 of qualified tax-exempt obligations in each calendar year. The Bonds were issued such that \$9,542,087.95 was applied against the total \$10,000,000 qualified tax-exempt obligation designation available to the City for calendar year 2012.

Simultaneously with the issuance of the Bonds, the City of Jersey Village Fire, Police and Communication Department (the "Department") were in the process of acquiring a new radio system that would allow the City to maintain interoperability with other first responders in the Greater Houston area. The purchase of this equipment was necessary in order to meet requirements of Harris County and the P25 digital platform outlined by the Federal Communications Commission. Further, it was necessary to complete this purchase and implement the new equipment prior to January 1, 2013 when the old radio system would become obsolete due to federally mandated changes to UHF/VHF bandwidth.

In connection with the purchase of the new radio equipment, the City entered into a lease-purchase agreement (the "Existing Agreement") with Motorola Solutions, Inc. ("Motorola") wherein the City agreed to purchase the new radio equipment and Motorola agreed to finance such equipment over a period of three years. Pursuant to the Existing Agreement, the City was to pay equal installment payments on October 1 of each year in the years 2013, 2014 and 2015. The total amount financed under the Existing Agreement was \$970,469.97. The Existing Agreement purports that the debt created by the Existing Agreement was also a qualified tax-exempt obligation for financial institutions. As permitted by the Existing Agreement, Motorola sold all of its right title and interest in the Existing Agreement to Bank of America, N.A. (the "Bank"). As a result, the lease payments under the Existing Agreement are now payable to the Bank.

Because the two financings were structured in very different manners (general obligation bonds constituting Constitutional debt versus a lease-purchase obligation subject to annual appropriation) there was initially confusion as to whether the money borrowed pursuant to the lease-purchase obligation would need to be applied against the \$10,000,000 qualified tax exempt obligation limitation that applies to the Bonds. After consultation with Bond Counsel, it was determined that this amount would be applied against this limitation. As a result, despite the assertions in the Existing Agreement to the contrary, the Existing Agreement may not be a qualified tax-exempt obligation for

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financial institutions and may not be tax-exempt. This result means that the Bank will likely not receive the preferential tax treatment that the Bank and Motorola believed were applicable to the Existing Agreement at the time the financing was approved.

In order to resolve the issue, City staff has discussed the matter with the City's Bond Counsel which has recommended that the Existing Agreement be rescinded and replaced with a new lease-purchase agreement (the "New Agreement") identical to the Existing Agreement but for the fact that interest would be paid on a taxable (rather than tax-exempt) basis. This action should resolve any outstanding IRS issues relating to the over-allocation of qualified tax-exempt obligations in calendar year 2012. Both Motorola and the Bank have agreed to the rescission of the Existing Agreement and the approval of the New Agreement.

The New Agreement contains a provision that allows the New Agreement to be prepaid on or before February 15, 2013. City Staff anticipates that the agenda for the January 2013 City Council meeting will contain an action item to approve the prepayment of the New Agreement. The New Agreement will be prepaid with funds to be received from another lease purchase agreement with Motorola which will be issued as tax-exempt obligations that are qualified tax-exempt obligations for financial institutions (a new qualified tax-exempt obligation "window" opens each new calendar year). Motorola has represented that it believes that terms of this third lease-purchase agreement will be identical to the terms of the Existing Agreement.

Assuming the third lease-purchase agreement is entered as described above, the net result of all of the actions described above should be slightly increased interest payments on the purchase of the radio equipment for the last three months of 2012 and for January 2013. This increase will be the difference between the original tax-exempt interest rate on the Existing Agreement and the new taxable interest rate associated with the New Agreement for each of those four months. The approximate amount of the increase will be \$3,850.

Bond Counsel drafted the proposed resolution and Rescission Agreement, and has reviewed the New Agreement. They were present at the Council meeting and fielded all of Council's questions and answered accordingly.

With limited discussion on the item, Council Member Beckwith moved to approve Resolution No. 2012-66, authorizing rescission of an existing tax-exempt Lease-Purchase Agreement and approving and authorizing the City Manager to execute a new Municipal Lease Agreement with Motorola Solutions, Inc. for the lease-purchase of radio communications equipment from Motorola through the Houston/Galveston Area Council; providing that the City's obligations under the Agreement 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. Council Member Sheppard seconded the motion. The vote follows:

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Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS AUTHORIZING RESCISSION OF AN EXISTING TAX-EXEMPT LEASE-PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A NEW MUNICIPAL LEASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR THE LEASE-PURCHASE OF RADIO COMMUNICATIONS EQUIPMENT FROM MOTOROLA THROUGH THE HOUSTON/GALVESTON AREA COUNCIL; PROVIDING THAT THE CITY'S OBLIGATIONS UNDER THE AGREEMENT 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.

2. **Consider Resolution No. 2012-67, receiving the Planning and Zoning Commission's Preliminary Report as it relates to amending the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations.**

Debra Mergel, Planning and Zoning Commission Chairman, introduced the item. She explained that the Planning and Zoning Commission met on November 19, 2012 and November 28, 2012 to review the application request of request of Kimberly Taylor (Applicant) and Harwin Gessner INV. Inc. (Owner) to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Arcade Game/Entertainment Recreation.

Chairman Mergel explained that in an effort to get a better understanding of the meaning of "arcade game/entertainment recreation, the Commission, at its November 19, 2012 meeting, charged Staff with the task of providing a definition to adequately represent the business model presented in the application filed by Ms. Kim Taylor. In carrying out this task, staff determined that the "lock in" feature of the business mode actually constituted a child day-care operation under the law.

Accordingly, after review and discussion, the Commissioners preliminarily propose that Chapter 14, Article IV, Section 14-105(b)(21) be amended by adding a subsection (b) to include Child Day-Care Operations, and present the preliminarily report in connection with its findings to City Council tonight and asks that it be received.

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Council engaged in discussion about adding the amendment as a specific use and why District F was chosen. Chairman Mergel explained that the applicant applied for the amendment and specifically requested district F.

With no further discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2012-67, receiving the Planning and Zoning Commission's Preliminary Report as it relates to amending the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

The motion carried.

RESOLUTION NO. 2012-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AS IT RELATES TO AMENDING THE ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A SUBSECTION (B) TO INCLUDE CHILD DAY-CARE OPERATIONS.

3. **Consider Ordinance No. 2012-43, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations.**

Danny Segundo, Director of Public Works, introduced the item. He explained to Council that in receiving the Preliminary Report in the previous item, the next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

This item is to set the date and time for the joint public hearing with the Planning and Zoning Commission.

With no discussion on the item, Council Member Ray moved to approve Ordinance No. 2012-43, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the zoning ordinance at Chapter 14, Article IV, Section 14-105(a)(21) by adding a subsection (b) to include Child Day-Care Operations. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

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The motion carried.

ORDINANCE NO. 2012-43

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND THE ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A SUBSECTION (B) TO INCLUDE CHILD DAY-CARE OPERATIONS.

4. Consider Resolution No. 2012-68, receiving the Report and Recommendation of the 2012 Charter Review Commission.

Charter Review Chairman, Rene Lozano introduced the item. Background information is as follows: In accordance with Section 9.14 of the City's Charter, Council during its Regular Session on July 16, 2012, appointed the 2012 Charter Review Commission to inquire into the operation of our city government and propose, if desirable, amendments to our Charter that would improve its effective application to our current conditions.

After conducting several meetings with staff, this Council, and the public, the Commission, makes its report and recommendations in accordance with Section 9.14(a)(4) which include the following three (3) recommendations:

- a. To amend the last paragraph of Article V, Section 5.07 of the City's Charter to place the Municipal Court Clerk under the direction of the City Manager; or
- b. To amend the last paragraph of Article V, Section 5.07 of the City's Charter to have the Municipal Court Clerk continue as a City Council appointee but report administratively to the City Manager or designee; or
- c. For City Council to adopt an Ordinance delegating administrative oversight of the Municipal Court Clerk and deputy clerks to the City Manager or designee.

Council Member Ray served as an alternate member on the Charter Review Commission. He told the Charter Review Members present and the Council of his pleasure in serving on this Commission. He gave a summary of the work had by the Commission, stating that the Commission found that the Section 5.07 requirement for Council to approve Municipal Court Clerk appointments conflicts with Section 5.02 which grants the City Manager the authority to hire and terminate all employees of the city. However, during the discussions about this issue, the City Manager stated that while there is conflict between the two areas of the Charter, it does not warrant an election for just this item. Nonetheless, should there be a Charter election; this would be an area that the Commission should address.

Accordingly, Council Member Ray explained that the Commission submitted three (3) alternatives for resolving the issue. Alternatives (a) and (b) require an election while alternative (c) would be accomplished by Ordinance and requires no election.

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Section 9.14(b) requires that Council receive and publish any report presented by the commission. This item is to receive the report. Council Member Beckwith moved to approve Resolution No. 2012-68, receiving the Report and Recommendation of the 2012 Charter Review Commission. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

The motion carried

RESOLUTION NO. 2012-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE REPORT AND RECOMMENDATION OF THE 2012 CHARTER REVIEW COMMISSION FOR THE CITY OF JERSEY VILLAGE.

5. Discuss and take appropriate action concerning recommendations made by the 2012 Charter Review Commission.

Mike Castro, City Manager introduced the item. He explained that the Recommendation of the Charter Review Commission, which Council has heretofore been received in accordance with Section 9.14 of the City's Charter, sets out three (3) alternative recommendations for amending the City's Charter at Section 5.07. The three (3) alternate recommendations are:

- (1) The first recommendation was to amend the last paragraph of Article V, Section 5.07 of the City's Charter to place the Municipal Court Clerk under the direction of the City Manager as follows:

“There shall be a municipal court clerk appointed by ~~the council~~ the City Manager or designee for a term of two years to run concurrently with the term of the judge. Such clerk and any deputy clerks, appointed by the City Manager or designee, ~~clerk, with approval of the council~~, 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.”

- (2) An alternate recommendation is to amend the last paragraph of Article V, Section 5.07 of the City's Charter to have the Municipal Court Clerk continue as a City Council appointee but report administratively to the City Manager or designee as follows:

“There shall be a municipal court clerk appointed by the council for a term of two years to run concurrently with the term of the judge. Such clerk and any

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deputy clerks appointed by the clerk, with approval of the council, 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. Such clerk and deputy clerks shall report administratively to the City Manager or designee.”

- (3) A third alternate recommendation is for City Council to adopt an Ordinance delegating administrative oversight of the Municipal Court Clerk and deputy clerks to the City Manager or designee.

In completing the summary of the Charter Commission’s Report, City Manager Castro suggested to Council that there is a forth alternative, and that is to do nothing, which is the City Manager’s recommendation. He stated that the issue in question does not justify having an election, and passing an Ordinance does not really resolve the issue because it would only delegate administrative oversight to the City Manager. The City Manager stated that this issue should be fixed when and if there is ever a Charter election with more amendments to consider than just this one issue.

Discussion was had about passing an Ordinance to resolve the issue. Some felt that this was a viable option because it addressed the issue without having an election. However, the City Manager pointed out that passing an Ordinance will only delegate administrative oversight. The real conflict here goes beyond administrative oversight and lies with the power to “hire/fire” as designated in Section 5.02 of the Charter. He was concerned that passing the Ordinance will only continue the problem and perhaps even make it worse.

With no further discussion on the matter, Council Member Beckwith moved to keep the status quo – to make no changes in accordance with the City Manager’s recommendation. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

The motion carried

- 6. Consider Resolution No. 2012-69, authorizing the City Manager to enter into an agreement with Harris County Public Health and Environmental Services for a mass prophylaxis closed point of dispensing (Closed POD) in order to dispense medications and supplies to identified Jersey Village Fire Department employees in the event of a public health emergency.**

Mark Bitz, Fire Chief, introduced the item. He explained that Harris County Public Health and Environmental Services is a participant in the Strategic National Stockpile which includes Medications and Medical Supplies. In the event of a public health emergency, Harris County would like to provide Jersey Village Fire Department

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members and families necessary vaccinations, medications or medical supplies which will serve a public purpose for Harris County.

A Public Health Emergency refers to any event, natural or manmade that requires immediate public health intervention. Should a public emergency arise either natural or manmade, Harris County Public Health and Environmental Services staff along with trained Jersey Village Fire Department Staff would administer necessary health interventions including antibiotics, vaccines, and/or antidotes to Jersey Village Fire Department members and their families.

With limited discussion on this item, Council Member Beckwith moved to approve Resolution No. 2012-69, authorizing the City Manager to enter into an agreement between the City of Jersey Village and Harris County Public Health and Environmental Services for a mass prophylaxis closed point of dispensing (Closed POD) in order to dispense medications and supplies to identified Jersey Village Fire Department employees in the event of a public health emergency. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Erskine, Beckwith, Sheppard
Mayor Pro tem Klein

Nays: None

The motion carried

RESOLUTION NO. 2012-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HARRIS COUNTY PUBLIC HEALTH AND ENVIRONMENTAL SERVICES FOR A MASS PROPHYLAXIS CLOSED POINT OF DISPENSING (“CLOSED POD”) IN ORDER TO DISPENSE MEDICATIONS AND SUPPLIES TO IDENTIFIED JERSEY VILLAGE FIRE DEPARTMENT EMPLOYEES IN THE EVENT OF A PUBLIC HEALTH EMERGENCY.

7. Receive construction update regarding Phase III of the City’s Street Improvement Project.

Erik Tschanz, Project Manager, introduced the item. Background information is as follows: On February 7, 2012, the City of Jersey Village Engineer, Brooks & Sparks Inc., along with City staff received bid documents related to the City’s Phase 3 street paving, drainage, and water line rehabilitation project. SER Construction Partners was the low bidder, submitting a bid of \$6,499,785.50.

At the February 20th City Council meeting, City Council awarded the bid to SER at the recommendation of Brooks & Sparks Inc., and city staff.

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Project Manager Tschanz has been documenting and evaluating the progress for the City and has worked side by side with SER Construction Partners. Mr. Tschanz gave City Council and residents in attendance an update regarding the status of the phase 3 project by providing project budget information and project street information including the “percent complete” for each street listed in the project.

G. 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 salutary 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 salutary 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 Beckwith: Council Member Beckwith thanked staff for all their help, welcomed the new police officers and wished everyone a Merry Christmas.

Council Member Erskine: Council Member Erskine called to mind the passing of Bill Smith. He gave a short history of Mr. Smith’s involvement in the City Volunteer Fire Department and other activities in the City. He recognized his service to the City.

Council Member Ray: Council Member Ray echoed the comments made by Council Member Erskine concerning Bill Smith. He gave a short summary of his memories of Mr. Smith, stating it was an honor to know him. He commended the 2012 Charter Review Commission for their work, recognizing their Chairman Rene Lozano. He wished everyone a Merry Christmas.

Council Member Sheppard: Council Member Sheppard shared her memories of Bill Smith. She thanked the residents for coming out to the TXDOT Public Hearings for the expansion of US 290 and she wished everyone a Merry Christmas.

Mayor Pro tem Klein: Mayor Pro tem Klein expressed her condolences to the family of Bill Smith. She told of her memories of Bill Smith and the Citizen’s Police Academy. She told of the Recreation and Events Holiday in the Park event. It was a great success. The weather was

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great, many people came, and there were 53 vendors. She told everyone that the holiday decorating contest is underway and judging begins this very night.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 7:57 p.m.

Lorri Coody, City Secretary