

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 29, 2013 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	City Manager, Mike Castro, PhD
Council Member, Justin Ray	Asst. City Secretary, Courtney Rutherford
Council Member, Rod Erskine	City Attorney, Loren Smith
Council Member, Harry Beckwith III, PE	
Council Member, Sheri Sheppard	
Council Member, Jill Klein	

City Secretary, Lorri Coody was not present at this meeting.

**B. CLOSE THE SPECIAL SESSION**

Mayor Hamley closed the Special Session at 7:02 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.

**C. EXECUTIVE SESSION**

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 and Section 551.072 to consult with City Attorney regarding condemnation proceedings located within the US 290 project expansion area. *Loren Smith, City Attorney***

**D. ADJOURN EXECUTIVE SESSION**

Mayor Hamley adjourned the Executive Session at 7:30 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

**E. CONVENE SPECIAL SESSION**

- 1. Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-21 of the City of Jersey Village, Texas, determining that 0.0419 acre tract of land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Ray moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.0419 acres of land owned by Saint Peters Anglican Church for a utility easement as a part of the Highway 290 Expansion Project. Council Member Beckwith seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – April 29, 2013

Council Member Beckwith: Aye  
Council Member Sheppard: Aye  
Council Member Klein: Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.0419 ACRE TRACT OF LAND IS NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

- 2. Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-22 of the City of Jersey Village, Texas, determining that 0.0383 acre tract of land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Sheppard moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.0383 acres of land owned by Kennedy Family Partnership for a utility easement as a part of the Highway 290 Expansion Project. Council Member Ray seconded the motion. The record vote follows:

Council Member Ray: Aye  
Council Member Erskine: Aye  
Council Member Beckwith: Aye  
Council Member Sheppard: Aye  
Council Member Klein: Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.0383 ACRE TRACT OF LAND IS NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – April 29, 2013

VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

3. **Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-23 of the City of Jersey Village, Texas, determining that 0.0310 acre tract of land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Beckwith moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.0310 acres of land owned by Jack in the Box and Foodmaker, Inc. for a utility easement as a part of the Highway 290 Expansion Project. Council Member Sheppard seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Klein:	Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.0310 ACRE TRACT OF LAND IS NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

4. **Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-24 of the City of Jersey Village, Texas, determining that 0.1598 and 0.2437 acre tracts of land are needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Erskine moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.1598 and 0.2437 acre tracts of land owned by Prologis NA2 Texas, LLC for a utility easement as a

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – April 29, 2013

part of the Highway 290 Expansion Project. Council Member Ray seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Klein:	Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.1598 AND 0.2437 ACRE TRACTS OF LAND ARE NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

- 5. Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-25 of the City of Jersey Village, Texas, determining that 0.0526 acre tract of land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Beckwith moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.0526 acres of land owned by All Tire Supply Company for a utility easement as a part of the Highway 290 Expansion Project. Council Member Sheppard seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Klein:	Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-25

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – April 29, 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.0526 ACRE TRACT OF LAND IS NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

6. **Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-26 of the City of Jersey Village, Texas, determining that 0.0754 acre tract of land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Ray moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.0754 acres of land owned by Pagaza & Sons, Co. for a utility easement as a part of the Highway 290 Expansion Project. Council Member Klein seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Klein:	Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.0754 ACRE TRACT OF LAND IS NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

7. **Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-27 of the City of Jersey Village, Texas, determining that 0.1596, 0.0621, 0.0595, 0.0830, and 0.1799 acre tracts of land are needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – April 29, 2013

**Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Sheppard move that the City of Jersey Village authorize the use of the power of eminent domain to acquire the 0.1596, 0.0621, 0.0595, 0.0830, and 0.1799 acre tracts of land owned by Joe Myers Dealership Property, L.P. for a utility easement as a part of the Highway 290 Expansion Project. Council Member Beckwith seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Klein:	Aye

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.1596, 0.0621, 0.0595, 0.0830, AND 0.1799 ACRE TRACTS OF LAND ARE NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

- 8. Consideration and possible action regarding the use of eminent domain authority to condemn the property as follows: Resolution 2013-28 of the City of Jersey Village, Texas, determining that 0.0564 acre tract of land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the 290 Right-of-Way Extension Project for the City of Jersey Village, Texas; and authorizing the institution of eminent domain proceedings.**

With no discussion on the matter, Council Member Klein moved that the City of Jersey Village authorize the use of the power of eminent domain to acquire 0.0564 acres of land owned by Speedy Stop Food Stores, Ltd. for a utility easement as a part of the Highway 290 Expansion Project. Council Member Erskine seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Erskine:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Klein:	Aye

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – April 29, 2013

Mayor Hamley, although present, did not vote.

The motion carried.

RESOLUTION NO. 2013-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DETERMINING THAT 0.0564 ACRE TRACT OF LAND IS NEEDED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REMOVAL OF ONE OR MORE UTILITY LINES AS PART OF THE 290 RIGHT-OF-WAY EXTENSION PROJECT FOR THE CITY OF JERSEY VILLAGE, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

**F. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 7:41p.m.

---

Courtney Rutherford  
Assistant City Secretary