

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 16, 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 Rod Erskine at 7:01 p.m. with the following present:

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

Council Member Sandra Joachim was not present at this meeting.

City Attorney, Bobby Gervais, was not present when the meeting was called to order but joined the meeting in progress at 7:30 p.m.

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; Michael Brown, Director of Parks and Recreation; and Christian Somers, City Building Official.

Isabel Kato, Finance Director; was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge: Council Member, Sheri Sheppard

C. PROCLAMATIONS

1. **Proclamation recognizing Tuesday, October 1, 2013 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 Erskine read the proclamation and presented it to Officer Arthur Pettitt of the Jersey Village Police Department.

D. FISCAL 2013-2014 MUNICIPAL BUDGET ITEMS

1. **Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2013-2014.**
 - a. **Receive presentation pertaining to the City of Jersey Village municipal budget for fiscal year 2013-2014.**

Mayor Erskine opened the public hearing at 7:09 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2013-2014 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:

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- FY 2014 Budget Goals
- Long Term Issues
- Revenues Vs. Expenditures Graph 2004 thru 2013
- 2013-14 Revenues and Expenditures, including Supplementals
- Projected General Fund Revenue Graph for FY 2014
- Assessed Valuations – FY 05 through FY 13
- Property Tax Rate
- Sales Tax Trend – FY 10 through FY 13
- Franchise Fees, Service Fees, and Fines
- Supplementals
- Utility Fund
- Budget Calendar

In completing the presentation from the City Manager, Mayor Erskine called the first person desiring to speak at the public hearing as follows:

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy had two questions concerning the proposed City budget for FY 2013-2014. He wanted to know (1) the amount of increase in recurring expenses for this budget compared to that of last year's budget; and (2) how is the Golf Course Equipment Fund funded. City Manager Castro fielded these questions stating that he would get back to Mr. Maloy on his first question. In terms of his second question, City Manager Castro explained that the Golf Course Equipment Fund is funded from Golf Course Funds.

City Attorney Gervais joined the meeting in progress at 7:30 p.m.

Ed Albracht, 15717 Elwood Drive, Jersey Village, Texas (713)-937-0085 – Mr. Albracht spoke to Council about the conditions of Elwood Drive. He told the Council that this street is in very bad shape. There are many pot holes on the street, water ponds when it rains, and mosquitos have become a major concern. He would like to have the street repaired.

With no one else signing up to speak, Mayor Erskine closed the public hearing at 7:33 p.m.

2. Consider Ordinance No. 2013-30, adopting the City of Jersey Village municipal budget for fiscal year 2013-2014.

City Manager Castro 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.

He explained that Council has held the public hearing on the proposed budget for fiscal year 2013-2014 and the proposed budget has been filed with the City Secretary.

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Accordingly, he recommends that the budget be adopted. The vote to adopt the budget must be a record vote.

With no discussion on the matter, Council Member Beckwith moved to approve Ordinance No. 2013-30, adopting the municipal budget for fiscal year 2013-2014. Council Member Ray seconded the motion. The record vote follows:

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

Mayor Erskine, although present, did not vote. Council Member Joachim was not present and did not vote.

The motion carried.

ORDINANCE NO. 2013-30

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013; MAKING APPROPRIATIONS AS REFLECTED IN SAID BUDGET; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

3. Consider Resolution No. 2013-58, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code.

City Manager Castro 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.

He explained that this item accomplishes these tasks. He 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.

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City Manager Castro 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 23, 2013; which means that the tax rate should be adopted before October 23, 2013.

Council Member Sheppard moved to approve Resolution No. 2013-58, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-58

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.

- 4. Conduct a separate vote to ratify the property tax increase of 3.06% as reflected in the newly adopted budget and place the adoption of this tax rate increase on the October 21, 2013 meeting agenda as an action item.**

City Manager Castro introduced the item. Since Council adopted a budget that will raise more total property taxes than last year's budget by \$186,743, a 3.06 % increase, and of that amount \$55,858 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.

With no discussion on the matter, Council Member Klein moved to ratify the property tax increase of 3.06% reflected in the newly adopted municipal budget for fiscal year 2013-2014 and that the adoption of this tax rate increase be placed the October 21, 2013 meeting agenda as an action item. Council Member Sheppard seconded the motion. The record vote follows:

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

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Mayor Erskine, although present, did not vote. Council Member Joachim was not present and did not vote.

The motion carried.

5. **Consider Resolution No. 2013-59, calling for two Public Hearings on the Proposed Tax Rate and setting October 3, 2013 at 7:00 p.m. and October 7, 2013 at 7:00 p.m. as the dates and times for these hearings.**

Council Member Ray moved to approve Resolution No. 2013-59, calling for two Public Hearings on the Proposed Tax Rate and setting October 3, 2013 at 7:00 p.m. and October 7, 2013 at 7:00 p.m. as the dates and times for these hearings. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-59

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.

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas (713) 849-2918 – Mr. Kopecky spoke to Council about the U-Haul Trailer business located on Jones Road. He told the Council that this business looks like it has abandoned the property. He is concerned that if something is not done that a “drug house” will result. He stated that the conditions are not safe and he has concern for our fire fighters. He would like something done about the condition of this property.

Zana Carter, 16242 Seattle Street, Jersey Village, Texas (713) 937-6119 – Ms. Carter spoke to Council about noise mitigation. She thanked the Council and Staff for efforts made thus far in connection with noise mitigation and the US Highway 290 expansion project. She asked that the good work toward these efforts continue. She also told Council that she is concerned about the U-Haul Trailer property. She mentioned that she has noticed several businesses in the Village that are not being kept properly. She gave the example of the “Stop-N- Go” on Senate which in her mind is “run down.” She also called Council’s attention to the annual street leveling project.

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She told Council that she does not think that this work is “up to par.” She also stated that even some of the new street construction taking place in the City is failing. She would like someone to take a look at these areas of disrepair.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy spoke to Council about noise mitigation. He told Council that he has written several letters to the Cy-Fair School Board about the noise abatement issues. He read one of the letters aloud. Basically the letter voiced his concern to the School Board that time was running out for them to get involved and support the efforts to get TxDOT and the HCTRA to take steps to abate/mitigate the high level of noise in the neighborhoods and around the schools during the US Highway 290 expansion project. The letter seeks their support and asks them to contact TxDOT and the HCTRA in order to request that effective measures are used to reduce the noise during the new road construction. He also encouraged them to work with the City of Jersey Village in these efforts.

In addition to reading the letter addressed to the Cy-Fair School Board, Mr. Maloy also asked Council to remember that the City’s noise consultant has stated that the construction of a 16 foot sound wall would have minimal on traffic noise emitted into the community. Accordingly, he asked Council to continue to fight for additional noise mitigation measures that will effectively reduce the level of noise in the City’s neighborhoods.

Rick Yerkes, 15721 Elwood, Jersey Village, Texas (832) 524-4146 – Mr. Yerkes spoke to Council about Elwood Drive. He told Council that he is afraid for his safety. He stated that Elwood Street is in disrepair. He gave several examples where car tires are getting caught between gaps in the road, causing hazardous conditions while driving down this street. He told Council that he does not understand why this street has not been repaired because it has been at the top of the capital improvements list many times. He has concern for the citizens’ safety. There is heavy ponding on this road when it rains, the road is uneven, and it needs to be repaired.

Dotty Rush, 15629 Elwood, Jersey Village, Texas (832) 596-4321 – Ms. Rush spoke to Council about the condition of Elwood Street. She lives on this street and it is unsafe. She told Council that her home is up for sale and offers on the home have fallen through due to the condition of the street. She would like the street repaired.

Charles Wolfenberger, 15813 Elwood, Jersey Village, Texas (713) 896-7574 – Mr. Wolfenberger spoke to Council about the condition of Elwood Street. He told Council that the street is in disrepair. He explained that where Elwood meets Jersey Drive, there is at least a 4 inch drop-off, causing hazardous conditions. He would like to have the street repaired.

Chris Diamond, 15633 Elwood, Jersey Village, Texas (713) 805-5287 – Mr. Diamond spoke to Council about the disrepair of Elwood Street. He told Council that car tires get caught in seams causing hazardous conditions when traveling this street. The lanes are uneven, causing his car to be out-of-line on a continuous basis. The water ponds when it rains where Elwood meets Jersey Drive. He would like to have the street repaired.

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Mayor Erskine called the next items out of order, as follows:

I. CLOSE THE REGULAR SESSION

Mayor Erskine closed the Regular Session at 7:55 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.074 – Personnel Matters and Section 551.071 - Consultation w/Attorney.

J. EXECUTIVE SESSION

- 1. Pursuant to the Texas Open Meetings Act Section 551.074 - Personnel Matters, conduct an Executive Session in order to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.**
- 2. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 to discuss and receive an update regarding the U.S. 290 expansion project.**

K. ADJOURN EXECUTIVE SESSION

Mayor Erskine adjourned the Executive Session at 9:17 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

In completing the Executive Session, Mayor Erskine resumed the regular order of the agenda as follows:

F. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly City Manager’s Report as follows:

- 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 2013**
- 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**

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In addition to the reports above, Parks and Recreation Director, Michael Brown, gave a brief update on the Harris County 43 Acre Detention Pond Project.

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 19, 2013 and the Joint Work Session Meeting held on August 19, 2013.**
- 2. Consider Resolution No. 2013-60, reviewing and approving the investment policy and investment strategies used for city funds in compliance with the Texas Government Code.**

RESOLUTION NO. 2013-60

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. 2013-61, authorizing the fire department to submit an application for the 2013 Assistance to Fire Grant program and apply for the grant in an amount no more than \$85,000.**

RESOLUTION NO. 2013-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE ASSISTANCE TO FIRE GRANT PROGRAM.

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, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

H. REGULAR AGENDA

- 1. Consider Resolution No. 2013-62, 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.**

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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 1, 2, 3, and 4 expire on September 30, 2013. The new term for these positions begins on October 1, 2013 and will end on September 30, 2015.

There following residents have filed applications seeking consideration for appointment to this board:

Edward Jordan and M. Reza Khalili

In addition to any 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 Ray moved to approve the following appointments to this Commission for the term to begin October 1, 2013 and end September 30, 2015:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
GEORGE E. OHLER	1	10/01/13	09/30/15
MICHAEL R. O'NEAL	2	10/01/13	09/30/15
BARBARA FREEMAN	3	10/01/13	09/30/15
TOM EUSTACE	4	10/01/13	09/30/15

Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

The Board of Adjustment

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Currently, there are no vacant positions on the Board of Adjustment; however, the term for Position A1 along with Positions 1, 2, and 3 will expire on September 30, 2013. The new term for these positions begins on October 1, 2013 and will end on September 30, 2015.

There following residents have filed applications seeking consideration for appointment to this board:

Virginia Smith, Edward Jordan, and M. Reza Khalili

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

In consideration of the new applicants and the desire of those seeking reappointment, Council Member Sheppard moved to approve the following appointments to this Board for the term to begin October 1, 2013 and end September 30, 2015:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
HENRY R. HERMIS, JR.	1	10/01/13	09/30/15
ROBERT CUNNINGHAM	2	10/01/13	09/30/15
THOMAS SIMCHAK	3	10/01/13	09/30/15
JOE PENNINGTON	A1	10/01/13	09/30/15

Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Building Board of Adjustment and Appeals

Currently, there are no vacant positions on the Building Board of Adjustment and Appeals; however, the term of office for Positions 5, 6, and 7 will expire on September 30, 2013. The new term for these positions begins on October 1, 2013 and will end on September 30, 2015.

The following residents have filed applications seeking consideration for appointment to this board:

Henry Hermis, Edward Jordan and M. Reza Khalili

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

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

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
ARI FLEITMAN	5	10/13	09/15
MICHAEL O’KELLEY	6	10/13	09/15
GARY VOSSLER	7	10/13	09/15

Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Recreation and Events Committee

Currently, there are two vacant positions on the Recreation and Events Committee. The term of office for Positions 1, 2, 3, and 4 will expire on September 30, 2013. The new term for these positions begins on October 1, 2013 and will end on September 30, 2015.

There following residents have filed applications seeking consideration for appointment to this committee:

Edward Jordan

In addition to any pending applications mentioned above, two of the current members serving on this Committee, Jeanette Gonzalez and Rebecca Lozano, desire re-appointment to term beginning October 1, 2013. Karen Listi does not desire re-appoint at this time which explains one of the vacant positions.

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

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
JEANETTE GONZALEZ	1	10/13	09/15
REBECCA LOZANO	2	10/13	09/15
VACANT	3	10/13	09/15
VACANT	4	10/13	09/15

Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Golf Course Advisory Committee

Currently, there is one vacant position on the Golf Course Advisory Committee. The term of office for Positions 1 through 7 all will expire on September 30, 2013. The new term for these positions begins on October 1, 2013 and will end on September 30, 2014.

There following residents have filed applications seeking consideration for appointment to this committee:

Edward Jordan

In addition to any new applicants, all of the current members desire re-appointment to this Committee for a one year term beginning October 1, 2013 and ending September 30, 2014, excepting Committee Member Isaac Ibrahim who has not responded to our phone calls, emails, or written letters inquiring about his desire.

In consideration of the new applicants desiring appointment to this Committee and the desire of those seeking reappointment, Council Member Sheppard moved to approve the following appointments to this Committee for a one year term beginning October 1, 2013 and ending September 30, 2014:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
VANCE BURNHAM	1	10/01/13	09/30/14
GREG FAIR	2	10/01/13	09/30/14
JANE ARNETT	3	10/01/13	09/30/14
EDWARD JORDAN	4	10/01/13	09/30/14
RONALD SCHIELKE	5	10/01/13	09/30/14
HAROLD SMITH, JR.	6	10/01/13	09/30/14
JAMES SAPPINGTON	7	10/01/13	09/30/14

Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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In completing the appointments, Mayor Erskine called for a motion to approve Resolution 2013-62. Council Member Beckwith moved to approve Resolution No. 2013-62, 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, Beckwith, Sheppard, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2013-62

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

- 2. Consider Resolution No. 2013-63, authorizing the City Manager to enter into a contract with Wells Fargo Bank for the performance of depository services for the City of Jersey Village, Texas, for the three-year period beginning October 1, 2013 and ending September 30, 2016.**

City Manager, Mike Castro introduced the item. He told Council that the current depository agreement between the City and NewFirst Bank, which was issued for a three-year period, expires on September 30, 2013 with a 90 day extension possible per the agreement.

Accordingly, a Request for Proposal for banking services was issued. Three banks responded with proposals. A comparative review of costs, revenue, services, and financial ability as well as an evaluation of various aspects of the proposals was done on these three proposals. All of the banks presented complete responses to the City's request for proposal. The three banks submitting proposals were Amegy Bank, Chase Bank and Wells Fargo Bank. In evaluating the proposals, Wells Fargo Bank was ranked first and Amegy Bank was ranked second. Accordingly, Staff recommends Wells Fargo Bank.

Council Member Ray moved to approve Resolution No. 2013-63, authorizing the City Manager to enter into a contract with Wells Fargo Bank for the performance of depository services for the City of Jersey Village, Texas, for the three-year period beginning October 1, 2013 and ending September 30, 2016. Council Member Sheppard seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

RESOLUTION NO. 2013-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH WELLS FARGO BANK.

3. **Consider Resolution No. 2013-64, 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 3% increase for the employee "High Plan" and a 3% increase for the employee "Standard Plan."

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

He gave a brief overview of services, explaining that the City has two medical plan options, one with a high deductible with 51 employees participating and the other with a lower deductible with 36 employees participating with a higher premium cost to the employees. The City's contribution is about \$853,000 annually and the employees contribute about \$110,000. The plan is under a self-funded pool with the Texas Municipal League with rates partially dependent on the City's claims experience and the overall experience of the pool which is currently at 90%. Their total operational and insurance cost for large claims is 15% which is competitive. TML administers the claims, but uses United Healthcare's PPO which has very competitive discounts in the medical marketplace.

Mr. Hillyer told Council that TML has indicated that the renewal rates for 2014 will be about 3% for both plans with no firm commitment. However in the past we have seen this change. In that event, specifications have been prepared in order to place the plan out for competitive proposals.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2013-64, 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

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medical premiums for either plan. Council Member Beckwith seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-64

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.

- 4. Consider Resolution No. 2013-65, approving the sale of 110 square feet of city-owned property located along the northeast line of US Highway 290, (approximately 0.30 mile northwest of Jersey Drive), Jersey Village, Harris County, TX 77040, also known as parcel 735, to the State of Texas acting by and through the Texas Transportation Commission in connection with the US Highway 290 Expansion Project; authorizing the City Manager to enter into an agreement with Half Associates Inc., acting on behalf of the State of Texas, and to execute all documentation related to the conveyance.**

Danny Segundo, Director of Public Works, introduced the item. He told Council that in May of this year, the City received a proposal from TXDOT related to the purchase of city owned property along the 290 frontage road. The property is known as Parcel 735 and is located near the 5 Star Autoplex car lot. TXDOT will acquire the property for the purpose of expanding US Highway 290.

The City has a driveway that leads to its Sanitary Sewer Lift Station located at the end of the property/lot near the bayou. The 290 frontage approach to the driveway is the portion that will be purchased by TXDOT. The approach will be relocated by TXDOT during its construction of additional frontage lanes along 290. The proposal for the acquisition of Parcel 735 property is \$1,000.00.

Council engaged in limited discussion concerning the 290 frontage approach.

With no further discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2013-65, approving the sale of 110 square feet of city-owned property located along the northeast line of US Highway 290, (approximately 0.30 mile northwest of Jersey Drive), Jersey Village, Harris County, TX 77040, also known as parcel 735, to the State of Texas acting by and through the Texas Transportation Commission in connection with the US Highway 290 Expansion Project; authorizing the City Manager

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to enter into an agreement with Halff Associates Inc., acting on behalf of the State of Texas, and to execute all documentation related to the conveyance. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SALE OF 110 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED ALONG THE NORTHEAST LINE OF US HIGHWAY 290, (APPROXIMATELY 0.30 MILE NORTHWEST OF JERSEY DRIVE), JERSEY VILLAGE, HARRIS COUNTY, TX 77040, ALSO KNOWN AS PARCEL 735, TO THE STATE OF TEXAS ACTING BY AND THROUGH THE TEXAS TRANSPORTATION COMMISSION IN CONNECTION WITH THE US HIGHWAY 290 EXPANSION PROJECT; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HALFF ASSOCIATES INC., ACTING ON BEHALF OF THE STATE OF TEXAS, AND TO EXECUTE ALL DOCUMENTATION RELATED TO THE CONVEYANCE.

- 5. Consider Resolution No. 2013-66, authorizing the City Manager to undertake all necessary and appropriate actions required to secure Texas Department of Transportation construction of a sound wall in the vicinity of Seattle Street.**

Mike Castro, City Manager, introduced the item. He told Council that the purpose of this agenda item is to discuss and take action regarding a proposal from TxDOT to construct a sound wall within Jersey Village.

Recently, the city was informed by TxDOT that there is sufficient resident support to proceed with a 16-foot sound wall in the vicinity of Seattle Street. 21 of 30 residents responded to TxDOT's survey, with unanimous support for the sound wall. The wall would be constructed at the back lot line of homes on Seattle, west of Senate. The wall would also proceed along the side lot lines of homes on Singapore and Congo, along the border with Joe Myers Ford. As a requirement for TxDOT to initiate construction of the sound wall, the city must agree to: 1) maintain the improvements in perpetuity, as well as, 2) acquire easements necessary for construction. Prior to responding to TxDOT on this matter, direction from city council is needed.

City Manager Castro told Council that TxDOT will bear the construction costs for the sound wall of approximately \$ 900,000. The length of the wall is 3,100 linear feet.

It appears that the optimal location for the sound wall is on property owned by Joe Myers Ford and Wallace Dillard. The alternate placement is to secure agreement from 30

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individual homeowners for the easement dedication. There are two easements required. A permanent five-foot easement is required for the actual wall structure. A temporary 20 or 25-foot construction easement will be necessary for equipment. It will be the city's responsibility to acquire both easements. The city will approach both entities seeking a donation of the easement.

Staff has not been able to confirm the efficacy of the wall, given the modeling data used for the FEIS reevaluation. Prior conversations with the city's sound engineer on this matter (Arno Bommer), indicate that the sound wall would have limited noise reduction value for homes beyond Seattle Street. That is to say that noise levels in the interior of the city would be unaffected by the wall construction. Mr. Bommer's initial analysis indicated a 10 dba reduction in ambient noise levels for adjacent homeowners, however a minimal reduction for residents beyond the second row of homes.

It is clear that the sound wall constitutes the major sound mitigation strategy of TxDOT for the Jersey Village area. In addition to the sound wall, TxDOT will utilize longitudinal tining on the roadway surface as an additional noise reduction measure. In previous conversations with TxDOT, the city was led to believe that no additional mitigation efforts in this area would be forthcoming. The sound wall was mentioned, but in passing only.

With no discussion on this matter, Council Member Beckwith moved to approve Resolution No. 2013-66, authorizing the City Manager to undertake all necessary and appropriate actions required to secure Texas Department of Transportation construction of a sound wall in the vicinity of Seattle Street. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2013-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO UNDERTAKE ALL NECESSARY AND APPROPRIATE ACTIONS REQUIRED TO SECURE TEXAS DEPARTMENT OF TRANSPORTATION CONSTRUCTION OF A SOUND WALL IN THE VICINITY OF SEATTLE STREET.

6. Consider Resolution No. 2013-67, designating a city representative and an alternate representative to the Houston-Galveston Area Council's 2014 General Assembly.

Lorri Coody, City Secretary, introduced the item. She told Council that Houston Galveston Area Council (HGAC) has requested the City's participation in selecting a City representative and an alternate representative for the Houston Galveston Area

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Council 2014 General Assembly. Council Member Harry Beckwith was the designated representative and Councilmember Sheri Sheppard was the designated alternate representative for the Houston Galveston Area Council 2013 General Assembly.

In completing the introduction, Mayor Erskine opened nominations. Council Member Ray nominated Council Member Beckwith to serve as the City's Representative for the Houston Galveston Area Council 2014 General Assembly and for Council Member Sheppard to serve as the Alternate Representative. The motion was seconded by Council Member Klein. With no other nominations being made, the vote follows:

Ayes: Council Members Ray, Sheppard, Beckwith and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2013-67

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 2014 GENERAL ASSEMBLY.

L. CONVENE REGULAR SESSION

- 1. Consider to Resolution No. 2013-68, approving an amendment to the Employment Agreement with Mike Castro, City Manager and authorizing the Mayor to execute said amendment.**

With no discussion on the matter, Council Member Ray moved to approve Resolution No. 2013-68, approving an amendment to the Employment Agreement with Mike Castro, City Manager and authorizing the Mayor to execute said amendment. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

- 2. Discuss and take appropriate action regarding items discussed in Executive Session regarding the U.S. 290 expansion project.**

No discussion had on this item. No action taken.

M. MAYOR AND COUNCIL COMMENTS

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

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Council Member Klein: Council Member Klein reported that the turn-out for the Ice Cream Social was good.

Council Member Sheppard: Council Member Sheppard reminded everyone that next Wednesday is the Homecoming Parade.

Council Member Ray: Council Member Ray also reminded everyone to not only attend the Homecoming Parade, but to attend the Homecoming Game. He also stated that he is glad to see Council working on a Comprehensive Plan and he is looking forward to this planning effort.

Council Member Beckwith: Council Member Beckwith thanked Staff for their work and he thanked the citizens for coming and for their input.

Mayor Erskine: Mayor Erskine stated that our thoughts and prayers are with the victims and family members of those involved in the Washington DC shooting. He is thankful that we have not had anything like that happen in Jersey Village.

N. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:55 p.m.

Lorri Coody, City Secretary