

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON FEBRUARY 17, 2014 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 7:00 p.m. with the following present:

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

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

- 1. Prayer and Pledge by former Council Member Curtis Haverty.**

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.

There were no citizens comments made at this meeting.

D. CITY MANAGER'S REPORT

City Manager, Mike Castro, gave his monthly report as follows:

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report - January 2014, and Budget Projections as of January 2014**
- 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**

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9. 2013 Racial Profiling Report

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 and the Work Session Meeting held on January 20, 2014.**
- 2. Consider Ordinance No. 2014-06, amending the Utility Fund budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014 in the amount of \$6,000 for the operation of Castlebridge Wastewater Treatment Plant.**

ORDINANCE NO. 2014-06

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014 IN THE AMOUNT OF \$6,000 FOR THE OPERATION OF CASTLEBRIDGE WASTEWATER TREATMENT PLANT; AND PROVIDING FOR SEVERABILITY.

Council Member Beckwith moved to approve items 1 and 2 on the consent agenda. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

F. REGULAR AGENDA

- 1. Receive report from CenterPoint Energy providing an update to their November 2013 presentation regarding reliability concerns within the Jersey Village service area.**

City Manager, Mike Castro introduced the item, stating that CenterPoint officials are present to provide an update on their efforts to improve system reliability within Jersey Village.

Background information is as follows: At the November 18 City Council meeting, Adrian Moreno and Paul Wilson discussed CenterPoint (CP) performance in Jersey Village. Both Gentlemen detailed efforts that CenterPoint would undertake in the coming months to improve performance. Specific initiatives mentioned by Mr. Wilson at the November Meeting included:

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- 1) *Grid Hardening*. This was to be accelerated for JV and completed by the end of November 2013. Grid hardening was a new program by CP, with the program initiated locally in 2011.
- 2) *Cable Assessment Program*.
- 3) *Vegetation Program*. Adrian and Paul both felt this was a significant cause of the problems in JV and this offered the best potential (other than the substation improvements) for overall system improvements. They stated their plans for this to be a significant initiative in JV for 2014.
- 4) *Substation Upgrade*. Currently in design. Construction was to begin in March of 2014.
- 5) Load Balance.
- 6) Routine Supervisor Inspections.

CenterPoint did not spend any time discussing the last two initiatives. Both speakers stated that they looked forward to a regular dialogue with the city regarding their efforts. Other highlights from the November council meeting included:

- JV has four circuits. The two circuits that cover 99 percent of the city are in the lower 10th percentile in terms of performance. CenterPoint stated that the poor performance of these circuits is a relatively recent phenomenon.
- CenterPoint will not trim trees if residents do not allow it. CenterPoint crews / contractors will work with the resident to trim as much as the resident will allow.
- CenterPoint anticipated better performing circuits by March / April of 2014.
- Adrian and Paul both felt that the primary source of outages in JV were “Squirrel and Vegetation” issues.
- CenterPoint was unable to answer the following question, “Are there residents in Jersey Village that refuse to have their trees trimmed?”

City Manager Castro introduced the CP representatives present (Adrian Moreno and Paul Wilson) to provide the update. Their presentation included the following elements:

- A. System-wide Grid Hardening Program
- B. Action Items – Update
 1. Equipment enhancement at substation
 2. Install equipment to balance load on circuits
 3. Vegetation/Wildlife management
 4. Wildlife Prevention
- C. Continuous Standard Maintenance for Circuits
- D. Cable Assessment Program
- E. Communication
- F. Circuit Performance for Jersey Village

In completing the update, the CenterPoint Representatives fielded and answered the following questions:

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Question: What circuits had the most complaints?

Answer: Circuits A and B

Question: What percentage of Jersey Village residents are Circuits A and B?

Answer: 99%

Question: In the past, the majority of the problems were with vegetation. Accordingly, what has been your experience with refusals on behalf of the residents with tree-trimming activities?

Answer: None, and CP does not anticipate a problem with the full-cycle trimming.

Question: What is the time frame associated with the remaining 52 work orders?

Answer: All are scheduled to be complete by the end of 2014.

Question: On Circuit B, the circuit with the 52 work orders, has a certain piece of equipment been responsible?

Answer: No, the way that CP works, is to review the cable and during this process, spans of cable are replaced before they go bad.

2. Consider Resolution No. 2014-04, authorizing the relocation of Red Light Cameras in the City of Jersey Village.

Chief of Police, Eric Foerster introduced the item. Background information is as follows:

The City of Jersey Village entered into an agreement with American Traffic Solutions, Inc. (ATS) on August 20, 2007, to allow ATS to install and operate a photographic traffic signal enforcement system (red light cameras). An amendment to this contract was executed May 28, 2009, which extended the term of the agreement for a period of 15 years. Due to the current Hwy. 290 expansion project, ATS was forced to disable and remove all red light cameras.

ATS has conducted location studies on four intersections in the City of Jersey Village, not affected by the Hwy. 290 expansion project, in an effort to relocate the equipment to these new locations. The eight proposed relocations are listed in the attached ATS Location Study and Pre-Activation Study. There would be no cost to the City of Jersey Village for the relocation of the red light cameras at the following locations:

(JVP1) NB West Rd. @ US-290 Frontage Rd.

(JVP2) SB West Rd. @ US-290 N Frontage Rd.

(JVP3) NB West Rd. @ Castlebridge Dr.

(JVP4) SB West Rd. @ Castlebridge Dr.

(JVP5) NB Jones Rd. @ Seattle Slew Dr./Jersey Meadows Dr.

(JVP6) SB Jones Rd. @ Seattle Slew Dr./Jersey Meadows Dr.

(JVP7) NB Jones Rd @ Village Green Dr.

(JVP8) SB Jones Rd @ Village Green Dr.

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In introducing the item, Chief Foerster explained the request and supported same with accident information at the proposed locations. Additionally, he explained that the relocations of the cameras will help maintain the program and contract continuity. He also explained the costs associated with both the Red Light Camera Program and the Traffic Safety Program.

Currently, all red light cameras in the City have been removed due to the US Highway 290 expansion project.

Council engaged in discussion. There were questions about how the relocations affect the contract. Chief Foerster explained that the relocations were not an extension of the contract; they are just new locations being added under the existing contract.

Some members of the Council wanted to know if the current contract goes dormant and the City wants to re-establish the locations of the cameras in the future, are the requirements to get a new contract with new locations different? Yes, the requirements have changed.

Council engaged in discussion about fund projections. The old locations produced \$200,000 per month, we are currently receiving no funds, and the new locations projections are \$68,000 per month. With that much of a drop, Council was concerned if the program could continue. Chief Foerster explained how collections from the Red Light Camera Program (RLCP) are distributed. He explained that from the collections, the costs of running the RLCP are subtracted. The amounts left are split 50/50 between the City and the State. The City's 50% portion is then allocated to the Traffic Safety Fund. Given the projected decrease, and dependent upon the actual revenue stream of the relocated cameras, the Traffic Safety Fund along with its expenses may need to be reviewed and adjusted.

City Manager Castro explained that we currently have five and ½ full time positions being paid out of the Traffic Safety Fund. These positions are not associated with Red Light Camera Program expenses so they are funded from the remaining 50% as discussed earlier. It is likely that there will need to be a reduction of this staff.

In answering Council's question concerning other locations in the State where the RLC were removed due to construction but not permitted to be reinstalled by TxDOT, Justin McDole with American Traffic Solutions answered same. He told Council that there are other locations where this has taken place. Nonetheless, Jersey Village is the first city where all of its cameras have been removed due to construction.

There was discussion about the number of accidents recorded at the proposed locations. Chief Forester explained that this number represents accidents worked by the City of Jersey Village Police Department only with said number representing approximately 99% of all accidents at these locations.

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Of the 37 accidents included in the spreadsheet, Council wanted to know how many of them involved the major roads. The Chief explained that this information is not available and would take considerable “manual” research to learn.

Council discussed the amount of safety that a RLC program provides. Justin McDole told Council that statistics show that when a RLC is installed at a location, the result is a 35% decrease in accidents at the location.

With no further discussion on this matter, Council Member Beckwith moved to approve Resolution No. 2014-04, authorizing the relocation of Red Light Cameras in the City of Jersey Village. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE RELOCATION OF RED LIGHT CAMERAS IN THE CITY OF JERSEY VILLAGE.

3. Consider Resolution No. 2014-05, authorizing an agreement with Brooks & Sparks, Inc. for engineering services related to the implementation of the Storm Water Management Program.

Director of Public Works, Danny Segundo introduced the item. Background information is as follows:

The City of Jersey Village adopted a Storm Water Management Program (SMWP) in July of 2009. The purpose of the SWMP is to provide for the health, safety, and general welfare of the citizens of Jersey Village through the regulation of discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. The program establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) and Texas Pollutant Discharge Elimination System (TPDES) permit process.

The TCEQ released the new SM4 general permit in December of 2013. The City will be required to create and submit a new SWMP and Notice of Intent (NOI) to the TCEQ by June 11, 2014. The City has received a proposal from Brooks & Sparks to prepare the documents associated with the general permit and the NOI. Brooks & Sparks proposes to accomplish the work as follows:

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- Develop a new Storm Water Management Program (SWMP) based on the needs of the City, while adhering to the requirements stated in the new General Permit No. TXR040000.
- Coordinate with appropriate city staff and present “best management practice (BMP)” alternatives to be implemented in the new SWMP.
- Prepare a draft SWMP for the City to review and comment.
- Adhere to the public notice process in accordance with the requirements stated in the new General Permit No. TXR040000.
- Finalize the SWMP and submit all necessary paperwork to the TCEQ.
- Submit annual report for year 1 to the TCEQ.
- Correspondence with the TCEQ, as necessary.

The TCEQ has encouraged MS4 operators to continue the administration of the program by implementing Best Management Practices. Currently our program includes a site inspection program for all of the city storm water inlets. Inspections of basins, channels, and ditches are also included. A manual for post construction site runoff controls, illicit discharge detection program, and spill response kits. Also, the city will continue its bi-annual inlet marking program.

Mr. Segundo told Council that this item is to authorize the City Manager to contract with Brooks & Sparks Inc. to create and submit a new SWMP and NOI related to the administration of the city’s storm water management program.

Council discussed the SWMP and wondered if work done under the program will count toward the Community Rating System (CRS) that the City wants to establish. Mr. Segundo explained that the SWMP is needed as part of the CRS program.

With limited discussion on the matter, Council Member Ray moved to approve Resolution No. 2014-05, authorizing an agreement with Brooks & Sparks, Inc. for engineering services related to the implementation of the Storm Water Management Program. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2014-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH BROOKS AND SPARKS, INC. FOR ENGINEERING SERVICES RELATING TO THE IMPLEMENTATION OF THE STORM WATER MANAGEMENT PROGRAM.

G. 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 stated that the Recreation and Events Committee will be holding the Annual Easter Egg Hunt and Spring Fling. She also thanked the Fire Department and Police Department for all their hard work.

Council Member Sheppard: Council Member Sheppard stated that the JV Women's Group will participate in cleaning up Jones Road on March 8. At least 40 people are needed to complete this project. Anyone interested in helping should contact the group. Additionally, she announced that the Women's Group will be hosting the Annual Tour of Homes in April.

Council Member Ray: Council Member Ray thanked everyone for coming to the meeting.

Council Member Holden: Council Member Holden did not have any announcements.

Council Member Beckwith: Council Member Beckwith told of an accident in which the Jersey Village Police Department and Jersey Village EMS responded to on Senate Avenue. He stated that the response time was less than 2 minutes. He was pleased and stated "Good job."

Mayor Erskine: Mayor Erskine appreciates the hard work of all city staff. He especially appreciates the police and fire departments. He stated that it might be a good idea to publish the dispatch number on the website in order that residents might have a non-emergency contact.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 7:45 p.m.

Lorri Coody, City Secretary