

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 15, 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 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 Holden	City Attorney, Bobby Gervais
Council Member, Harry Beckwith III, P.E.	
Council Member, Sheri Sheppard	
Council Member, Tom Eustace	

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: Council Member Justin Ray.

**C. PROCLAMATIONS**

1. **Proclamation recognizing Tuesday, October 7, 2014 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 2014-2015 MUNICIPAL BUDGET ITEMS**

1. **Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2014-2015.**
  - a. **Receive presentation pertaining to the City of Jersey Village municipal budget for fiscal year 2014-2015.**

After the Mayor called the item, City Manager Castro gave a presentation which included information on the following topics:

- FY 2015 Budget Goals
- Long Term Issues
- General Fund Revenues Vs. Expenditures Graph 2005 to 2014
- 2014-15 Revenues and Expenditures, including Supplementals
- Projected General Fund Revenue Graph for FY 2015
- Assessed Valuations – FY 06 through FY 14
- Property Tax Rate
- Sales Tax Trend – FY 11 through FY 14
- Franchise Fees, Service Fees, and Fines

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

- Supplementals
- Utility Fund
- Budget Calendar

In completing the presentation from the City Manager, Mayor Erskine opened the public hearing at 7:22 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2014-2015 Municipal budget.

With no one signing up to speak, Mayor Erskine closed the public hearing at 7:23 p.m.

**2. Discuss and take appropriate action concerning any final changes to the proposed 2014-2015 Municipal Budget.**

Mike Castro, City Manager, introduced the item. He explained that this item provides opportunity for the Council to discuss and provide for any needed changes to the 2014-2015 municipal budget before moving on to the item for budget adoption.

City Manager Castro explained that any changes shall be made by motion with the appropriate seconded and shall be voted upon by Council before any official changes can be included in the municipal budget that will be acted upon in the adoption item.

The changes proposed are as follows:

1. General Fund Expenditure of \$1,231 for the increase on the Salaries and related Fringe Benefits line items 01-11-3001 for \$1,000, 01-11-3051 (FICA) for \$77, and 01-11-3054 (Retirement) for \$154.
2. General Fund Expenditure of \$10,000 for the increase on the compensation for Judges line item 01-19-5505 for \$10,000
3. General Fund Expenditure of \$25,000 for the increase on the Furniture line item 01-33-6598 for \$25,000
4. An increase of \$1,100,000 to the Street and Drainage Improvement on the CIP Budget for the repair of Elwood Street line item 10-91-7123

With no discussion on the item, Council Member Beckwith moved to include the items, as outlined by the City Manager, in the 2014-2015 municipal budget. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**3. Consider Ordinance No. 2014-28, adopting the City of Jersey Village municipal budget for fiscal year 2014-2015.**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

Isabel Kato, Finance Director, introduced the item, stating that at conclusion of the public hearing on the municipal budget, Council shall take action on the proposed budget.

She explained that Council has held the public hearing on the proposed budget for fiscal year 2014-2015 and the proposed budget has been filed with the City Secretary.

Additionally, Council has reviewed changes to the proposed budget and has voted to adopt same. Accordingly, she recommends that the budget, including the approved changes, be adopted. The vote to adopt the budget must be a record vote.

With no discussion on the matter, Council Member Ray moved to approve Ordinance No. 2014-28, adopting the municipal budget for fiscal year 2014-2015. Council Member Sheppard seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Holden:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Eustace:	Aye

Mayor Erskine, although present, did not vote.

The motion carried.

ORDINANCE NO. 2014-28

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014; MAKING APPROPRIATIONS AS REFLECTED IN SAID BUDGET; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

**4. Consider Resolution No. 2014-45, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code.**

Isabel Kato, Finance Director, 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.

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

She explained that this item accomplishes these tasks. She also explained that this year's proposed tax rate (.7425) will exceed the effective tax rate and the rollback 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.

Finance Director Kato explained that the Tax Code in Section 26.05 requires a taxing unit to adopt its tax rate by the 60<sup>th</sup> day after the unit receives the certified appraisal roll. The City of Jersey Village received the certified appraisal roll on August 29, 2014; which means that the tax rate should be adopted before October 29, 2014.

Council Member Beckwith moved to approve Resolution No. 2014-45, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2014-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE JERSEY VILLAGE TAX ASSESSOR'S STATUTORY CERTIFICATIONS, SUBMISSIONS, AND CALCULATIONS UNDER SECTION 26.04 OF THE TAX CODE.

- 5. Conduct a separate vote to ratify the property tax increase of 7.70% as reflected in the newly adopted budget and place the adoption of this tax rate increase on the October 20, 2014 meeting agenda as an action item.**

Isabel Kato, Finance Director, introduced the item. Since Council adopted a budget that will raise more total property taxes than last year's budget by \$494,244, a 7.70 % increase, and of that amount \$21,028 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 limited discussion on the matter, Council Member Beckwith moved to ratify the property tax increase of 7.70% reflected in the newly adopted municipal budget for fiscal year 2014-2015 and that the adoption of this tax rate increase be placed the October 20,

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

2014 meeting agenda as an action item. Council Member Holden seconded the motion. The record vote follows:

Council Member Ray:	Aye
Council Member Holden:	Aye
Council Member Beckwith:	Aye
Council Member Sheppard:	Aye
Council Member Eustace:	Aye

Mayor Erskine, although present, did not vote.

The motion carried.

**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.

**William Schuster, 8 Peach Tree Court, Jersey Village, Texas (832) 407-9011** – Mr. Schuster spoke to Council concerning “cut-through” traffic at the golf course. He gave Council a hand-out concerning a traffic flow analysis he conducted of cars traveling through the golf course. He explained the details of the analysis, and told City Council that he is not in favor of closing this access point. He closed by saying that the Lakes of Jersey Village residents would not benefit from such a closure as they use this method to gain access to the other side of the City.

**Deborah Finlay, 30 Cherry Hills, Jersey Village, Texas (713) 816-2088** – Ms. Finlay thanked City Manager Castro for attending the recent METRO meeting concerning bus routes through Jersey Village. She told Council that METRO will no longer consider a route that goes through our City. She also commented on the Mayor’s newsletter concerning traffic in the City. She stated that the newsletter did not contain any mention of a traffic study and she feels that such a study is needed before the closing of any streets.

**Heath Burttschell, 15714 Seattle Street, Jersey Village, Texas (713) 582-1773** – Mr. Burttschell spoke to Council about placing speed cushions in the 1500 Block of Seattle Street. He reported that a recent traffic study was conducted that reflected that speed cushions are warranted for this street. He mentioned that all of the residents living on this street are in favor of the speed cushions as speed has been a problem on the street for some time and residents are concerned for the safety of small children living on the street. He closed by stating that he would like City Council to consider placing speed cushions on this street.

**Jerri Moore, 15801 Elwood Drive, Jersey Village, Texas (206) 369-3337** – Ms. Moore wants the repairs for Elwood Drive added to the 2014-2015 City Budget. Mayor Erskine explained that

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

the repairs have been added to the budget and the final decision to move forward on the repairs will be had some six (6) months from now. Ms. Moore is in favor of having the street repaired.

**Norma Robbins, 8209 Rio Grande, Jersey Village, Texas (713) 248-9388** – Ms. Robbins spoke to City Council concerning speed on Rio Grande. She stated that she would like to have the speed trailer located on this street in order to remind travelers about their speed when using this street.

**Chris Hoggart, 15705 Elwood Drive, Jersey Village, Texas (281) 723-0214** – Ms. Hoggart spoke to City Council about adding the repairs of Elwood Drive in the 2014-2015 budget. She drives the street daily. It is not level and not safe. She wants the street repaired.

**Charlotte Lampe, 11110 N. Eldridge Pkwy, Houston, Texas (713) 927-7961** – Ms. Lampe spoke to City Council about the loss of the early voting location.

**Barbi Freeman, 15501 Jersey Drive, Jersey Village, Texas (713) 466-6903** – Ms. Freeman spoke to City Council concerning Charlotte Lampe's citizen comments made this evening. Ms. Freeman expressed her support for the Jersey Village City Council. She found Ms. Lampe's comments offensive.

**Chris Diamond, 15633 Elwood Drive, Jersey Village, Texas (281) 809-3381** – Mr. Diamond presented City Council with pictures depicting the disrepair of Elwood Drive. He asked City Council to repair the street.

**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 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, 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**

In addition to the items listed above, City Manager Castro gave an update to Council concerning the progress made by Staff in connection with a Speed Cushion Program. He told Council that

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

Staff is developing a program and presentation to Council should be ready by the October City Council meeting.

**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 18, 2014, the Special Session Meeting held on August 19, 2014, and the Work Session Meeting held on September 8, 2014.**
- 2. Consider Resolution No. 2014-46, reviewing and approving the investment policy and investment strategies used for city funds in compliance with the Texas Government Code.**

RESOLUTION NO. 2014-46

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.

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

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

Nays: None

The motion carried.

**H. REGULAR AGENDA**

- 1. Consider Resolution No. 2014-47, suspending the October 1, 2014 effective date of CenterPoint Energy Houston Electric LLC's application to amend its rate schedules relating to Street Lighting Services.**

Mike Castro, City Manager, introduced the item. He explained that on August 8, 2014, CenterPoint Energy filed with the City an application to amend its rate structure for street lights. CenterPoint Energy is in the process of developing a program that would allow cities to replace traditional sodium vapor street lamps with Light Emitting Diode (LED) street lights. CenterPoint intends to begin this process in the Houston area beginning in the 4<sup>th</sup> quarter of this calendar year. In concert with this change, CenterPoint seeks to change aspects of the rate structure associated with charges for street lighting. There are

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

many known-unknowns associated with CenterPoint’s rate filing on this matter (. . . and even more unknown-unknowns).

Accordingly, our legal representative on the matter, Mr. Brocato, with the Gulf Coast Coalition of Cities, recommends that the City delay consideration of the rate filing until we have more information. The proposed resolution suspends the effective date “the maximum extent allowed by law,” as opposed to stating a particular timeframe.

If the City takes no action on the matter, the rate structure becomes effective for the City of Jersey Village on October 1. The City would then be locked into a set of potentially unfavorable terms and conditions. At this time, the City does not know the new rates and does not know what will happen with our decorative lights.

Council engaged in discussion about the lighting program and exactly what will be replaced under same. City Manager Castro explained that it is a complete replacement of the street lights, including the poles. The cost is to be amortized and paid monthly. However, at this time, the monthly rate is unknown. Mr. Castro also explained that CenterPoint works on capital recovery fees. This method will also be used to replace the lights and poles. CenterPoint is currently promoting the new lighting program as voluntary; but will most likely mandate replacements in five (5) years.

With no further discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2014-47, suspending the October 1, 2014 effective date of CenterPoint Energy Houston Electric LLC’s application to amend its rate schedules relating to Street Lighting Services. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2014-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SUSPENDING THE OCTOBER 1, 2014 EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC LLC’S APPLICATION TO AMEND ITS RATE SCHEDULES TO PERMIT THE CITY TIME TO STUDY THE REQUEST; APPROVING COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.



REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

**2. Discuss and take appropriate action the control of access traffic into and out of the Jersey Meadow Golf Course, including solutions for eliminating cut-through traffic.**

Harry Beckwith III, Council Member, introduced the item. He mentioned that this item was discussed by City Council at its August 18, 2014, with no action being taken.

He explained, that at the August meeting, Staff asked for specific direction on how to handle the problem of controlling access traffic into and out of the Jersey Meadow Golf Course, including solutions for eliminating cut-through traffic. Given no direction was provided and based upon his communication with colleagues, Council Member Beckwith believes that further discussion is needed in order to provide the requested guidance. Accordingly, he recommends that Council choose one of the three (3) solutions posed by Staff in order to deal with this issue.

Discussion was had concerning Council Member Beckwith's request. Some Council Members did not find that any of the three (3) solutions posed were viable and that the timing for closing this access point into the City is not favorable given the US Hwy. 290 expansion project.

Additional discussion was had that included the following thoughts:

- At this time, closing the access will create a greater safety issue than keeping it open;
- While the current "cut-through" is a parking lot, now is not the time to address the problem. Perhaps in two (2) or three (3) years, the timing will be appropriate;
- Taking no action means keep the status quo. Keep the "cut-through" open; and
- The "cut-through" solution is on the CIP – 5 years out.

With no further discussion on the matter, Council Member Beckwith moved that Staff be directed to not limit access of "cut-through" traffic through the Jersey Village Golf Course parking lot and that they maintain the existing traffic lanes. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**3. Consider Resolution No. 2014-48, appointing members to the Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee.**

Lorri Coody, City Secretary, introduced the item. She told Council that every year during the September Council Meeting; City Council makes appointments to its Boards and Commissions. The City currently has five Boards and/or Commissions which are the

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee. Each one of these Boards has positions wherein the term of office is ending, resulting in consideration of applicants to fill these new terms.

**The Planning and Zoning Commission**

Currently, there are no vacant positions on the Planning and Zoning Commission; however, the term of office for Positions 5, 6, and 7 expire on September 30, 2014. The new term for these positions begins on October 1, 2014 and will end on September 30, 2016.

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

Vily Frenk                      J. Lane Dubois-Freeman                      Joe Pennington                      Robert Krauss  
Joseph J. Paul

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

	<u>POSITION</u>	<u>FIRST APPOINTED</u>	<u>CURRENT TERM ENDS</u>
DEBRA MERGEL	5	08/06	09/30/14
JOYCE BERUBE	6	06/12	09/30/14
RICK FAIRCLOTH	7	02/08	09/30/14

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, 2014 and end September 30, 2016:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
DEBRA MERGEL	5	10/01/14	09/30/16
JOYCE BERUBE	6	10/01/14	09/30/16
RICK FAIRCLOTH	7	10/01/14	09/30/16

Council Member Eustace seconded the motion. The vote follows:

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

Nays:        None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

**The Board of Adjustment**

Currently, there are no vacant positions on the Board of Adjustment, but the term of office for Positions 4, 5, and A2 will expire on September 30, 2014. The new term for these positions begins on October 1, 2014 and will end on September 30, 2016.

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

George Ohler                  Virginia Smith                  Robert Krauss

The following members currently serving on the Board desire re-appointment:

	<u>POSITION</u>	<u>FIRST APPOINTED</u>	<u>CURRENT TERM ENDS</u>
KEN NGUYEN (Served as Alt 2 since 11/11)	4	07/14	09/30/14
DEBRA SAPPINGTON	5	08/13	09/30/14
M. REZA KHALILI (Alternate)	A2	07/14	09/30/14

In consideration of the new applicants desiring appointment to this Board and the desire of those seeking reappointment, Council Member Eustace moved to approve the following appointments to this Board for the term to begin October 1, 2014 and end September 30, 2016:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
KEN NGUYEN (Served as Alt 2 since 11/11)	4	10/01/14	09/30/16
DEBRA SAPPINGTON	5	10/01/14	09/30/16
M. REZA KHALILI (Alternate)	A2	10/01/14	09/30/16

Council Member Holden seconded the motion. The vote follows:

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

Nays:        None

The motion carried.

**Building Board of Adjustment and Appeals**

Currently, there are no vacant positions on the Building Board of Adjustment and Appeals; however, the term of office for Positions 1, 2, 3, and 4 to expire on September 30, 2014. The new term for these positions begins on October 1, 2014 and will end on September 30, 2016.

There are several applications on file with the City Secretary from residents interested in

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

serving on this Commission. The interested applicants are as follows:

Henry R. Hermis, Jr.                      Robert Krauss

The following members currently serving on the Board desire re-appointment:

	<u>POSITION</u>	<u>FIRST APPOINTED</u>	<u>CURRENT TERM ENDS</u>
HOWARD A. MEAD	1	10/12	09/30/14
FRANK GULLO	2	3/96	09/30/14
WILLIAM BERGER	3	10/12	09/30/14
CLINT CHILDRESS	4	7/03	09/30/14

In consideration of the new applicant 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>
HOWARD A. MEAD	1	10/01/14	09/30/16
FRANK GULLO	2	10/01/14	09/30/16
WILLIAM BERGER	3	10/01/14	09/30/16
CLINT CHILDRESS	4	10/01/14	09/30/16

Council Member Holden seconded the motion. The vote follows:

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

Nays:        None

The motion carried.

**Recreation and Events Committee**

Currently, there are two vacant positions on the Recreation and Events Committee. Appointment for the vacancy in Position 3 and Position 4 will be for the unexpired term that ends September 30, 2015.

Additionally, Frances Wubbenhorst, currently serving in Position 5 does not desire re-appointment. Her current term expires September 30, 2014. Accordingly, Position 5 will be vacant effective October 1, 2014. Appointment for this vacancy will be for the term that begins October 1, 2014 and ends September 30, 2016.

In addition to the three vacant positions, the term of office for Positions 6, and 7 will expire on September 30, 2014. The new term for these positions begins on October 1, 2014 and will end on September 30, 2016.

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

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

Dana Johnson                      Robert Krauss

In addition to any pending applications, the following members, currently serving on this Committee, (named below) desire re-appointment:

	<u>POSITION</u>	<u>CURRENT TERM BEGAN</u>	<u>CURRENT TERM ENDS</u>
VACANT	3	10/01/13	09/30/15
VACANT	4	10/01/13	09/30/15
VACANT	5	10/01/14	09/30/16
DORIS MICHALAK	6	10/01/14	09/30/16
ELOISA ARTEAGA	7	10/01/14	09/30/16

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

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
VACANT	3	10/01/13	09/30/15
ROBERT KRAUSS	4	10/01/13	09/30/15
DANA JOHNSON	5	10/01/14	09/30/16
DORIS MICHALAK	6	10/01/14	09/30/16
ELOISA ARTEAGA	7	10/01/14	09/30/16

Council Member Beckwith seconded the motion. The vote follows:

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

Nays:        None

The motion carried.

**Golf Course Advisory Committee**

The term of office for Positions 1 through 7 will expire on September 30, 2014. The new term for these positions begins on October 1, 2014 and will end on September 30, 2015. Board Member Harold Smith, Jr. who currently serves in Position 6 has indicated that he does not desire re-appointment, leaving this Position vacant effective October 1, 2014.

There is one applicant on file with the City Secretary demonstrating interest in serving on

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

this Committee as follows:

A.J. Widacki

In addition to the new applicant, the following members desire re-appointment to this Committee for a one year term beginning October 1, 2014 and ending September 30, 2015:

	<u>POSITION</u>	<u>FIRST APPOINTE D</u>	<u>CURRENT TERM ENDS</u>
VANCE BURNHAM	1	11/04	09/30/14
GREG FAIR	2	05/09	09/30/14
JANE ARNETT	3	04/12	09/30/14
WILLIAM J. BERGER, III	4	09/03	09/30/14
RONALD SCHIELKE	5	09/02	09/30/14
VACANT	6		09/30/14
JAMES SAPPINGTON	7	10/11	09/30/14

In consideration of the new applicant desiring appointment to this Committee and the desire of those seeking reappointment, Council Member Holden moved to approve the following appointments to this Committee for a one year term beginning October 1, 2014 and ending September 30, 2015:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
VANCE BURNHAM	1	10/01/14	09/30/15
GREG FAIR	2	10/01/14	09/30/15
JANE ARNETT	3	10/01/14	09/30/15
WILLIAM J. BERGER, III	4	10/01/14	09/30/15
RONALD SCHIELKE	5	10/01/14	09/30/15
A.J. WIDACKI	6	10/01/14	09/30/15
JAMES SAPPINGTON	7	10/01/14	09/30/15

Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

In completing the appointments, Council Member Beckwith moved to approve Resolution No. 2014-48, appointing members to the Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

and Events Committee, and the Golf Course Advisory Committee. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2014-48

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.

- 4. Discuss and take appropriate action regarding the request from Michael Brown to participate in the FEMA buy-out program for his home located at 16025 Wall Street, Jersey Village, Texas.**

Harry Beckwith III, Council Member, introduced the item. He told Council that this item too had been discussed by Council at the August 18, 2014, with no action being taken. Accordingly, he moved to direct Staff to deny Mr. Brown's request to participate in the FEMA buy-out program for his home located at 16025 Wall Street, Jersey Village, Texas. Council Member Eustace seconded the motion.

There was limited discussion on how prior requests for this program were handled. With no other discussion, Mayor Erskine called for the vote as follows:

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

Nays: None

The motion carried.

- 5. Discuss and take appropriate action concerning the setting of term limits for members serving on the various boards, commissions, and committees of the City of Jersey Village.**

Harry Beckwith III, Council Member, introduced the item, stating that more participation may be realized if there were term limits for Boards and Commissions similar to the term limits set for City Council Members.

Council engaged in discussion that included the following thoughts about limiting the terms of board members:

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

- Terms are already limited because City Council decides whether to re-appoint incumbent members for additional terms;
- Setting term limits may do a disservice by limiting experience;
- What we have now works;
- Perhaps an interview process may help when making annual appointments, affording applicants a forum in which to present qualifications for consideration;
- Concern that serving on a board or committee is a life-long commitment;
- Not limiting terms discourages participation and more citizens need to be involved;
- There are openings on many of the boards from time to time and this would be the time for new member appointments;
- Current members serving on boards and commissions are very qualified; and
- An interview process may be a barrier for interested candidates not schooled in public speaking.

With no further discussion on the matter, Council Member Beckwith moved that term limits not be set for members serving on boards and commissions. The motion was seconded by Council Member Holden. The vote follows:

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

Nays: None

The motion carried.

**6. Consider Resolution No. 2014-49, designating a city representative and an alternate representative to the Houston-Galveston Area Council's 2015 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 Council 2015 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 2014 General Assembly.

In completing the introduction, Mayor Erskine opened nominations. Council Member Holden nominated Council Member Harry Beckwith III to serve as the City's Representative for the Houston Galveston Area Council 2015 General Assembly and for Council Member Tom Eustace to serve as the Alternate Representative. The motion was seconded by Council Member Ray. With no other nominations being made, the vote follows:

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

Nays: None

The motion carried.



REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

RESOLUTION NO. 2014-49

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 2015 GENERAL ASSEMBLY.

7. **Consider Resolution No. 2014-50, selecting individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places 1, 2, 3, and 4 (Workers' Compensation, Property and Liability Benefits).**

Lorri Coody, City Secretary, introduced the item. She told Council that the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Term of Office for Places 1, 2, 3, and 4 will expire. The term of office for these positions is six years. A slate of interested candidates appears on the official ballot for election. Along with each name is a brief summary of qualifications for each candidate. The ballot must be received by the Board Secretary no later than September 30, 2014 and the official ballot must be properly signed and all pages of the ballot must be mailed in accordance with the instructions in order for the City of Jersey Village's vote to be counted.

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

After limited discussion, Council Member Beckwith moved to nominate the following individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places 1, 2, 3, and 4:

**Place 1:** Robert T. Herrera; **Place 2:** John W. Fullen; **Place 3:** George Shackelford; and **Place 4:** Peter Vargas. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2014-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SELECTING INDIVIDUALS TO SERVE ON THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES – PLACES 1, 2, 3, AND 4.

8. **Consider Ordinance No. 2014-29, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14, Article IV, Section 14-104(a) to include "Home Occupations" as a use regulation in District M.**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

Danny Segundo, Director of Public Works, introduced the item. He told Council that the City's current zoning ordinance allows for home occupations in zoning district A (single-family dwelling district) and zoning district C (townhouse/patio home district). However, it does not allow for home occupations in zoning district M (multi family dwelling district). City staff has recently been approached by a resident that lives in District M who wishes to work out of his place of residence.

Accordingly, on September 11, 2014, the Planning and Zoning Commission met to discuss amendments to Chapter 14, Article I, Section 14-104(a) to include 'Home Occupations' as a regulated use in District M. The Commission presents its preliminary report in connection with its findings and asks that it be received, and to proceed with a joint public hearing.

Council engaged in discussion about running a business out of an apartment and that this activity may be a nuisance to neighbors. Building Official, Christian Somers, explained the restrictions that would accompany the change. There was additional discussion about any restrictions that may be placed on businesses by the apartment management.

With no further discussion on this matter, Council Member Beckwith moved to approve Ordinance No. 2014-29, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14, Article IV, Section 14-104(a) to include "Home Occupations" as a use regulation in District M. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2014-29

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND CHAPTER 14, ARTICLE IV, SECTION 14-104(A) TO INCLUDE "HOME OCCUPATIONS" AS A USE REGULATION IN DISTRICT M.

- 9. Consider Ordinance No. 2014-30, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14, Article IV, Section 14-105(a) to include "Grocery Store" as a use regulation in District F.**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

Danny Segundo, Director of Public Works, introduced the item. He told Council that the City's current zoning ordinance does not permit grocery stores in Zoning District F. Currently, the only place a grocery store is allowed is in Zoning District H (industrial district).

On September 11, 2014, the Planning and Zoning Commission met to discuss amendments to Chapter 14, Article I, Section 14-105(a) to include 'grocery store' as a regulated use in District F. The Commission presents its preliminary report in connection with its findings and asks that it be received, and to proceed with a joint public hearing.

With no discussion on the matter, Council Member Beckwith moved to approve Ordinance No. 2014-30, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14, Article IV, Section 14-105(a) to include "Grocery Store" as a use regulation in District F. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2014-30

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND CHAPTER 14, ARTICLE IV, SECTION 14-105(A) TO INCLUDE "GROCERY STORE" AS A USE REGULATION IN DISTRICT F.

- 10. Consider Ordinance No. 2014-31, receiving the Planning and Zoning Commission's Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article I. in General, Section 14-5 Definitions, to amend the definitions of "family" and "single-family dwelling" to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act.**

Danny Segundo, Director of Public Works, introduced the item. He told Council that the City of Jersey Village's ordinances do not address the issue of community homes or group homes where individuals live while rehabilitating from illness or substance addiction. There is no definition of community home in our ordinances. Currently, there are two such communities within Jersey Village city limits. While they are allowed by state law to operate in single family districts, there is a need to adopt a definition that mirrors state law in order that the City have a tool to monitor these homes.

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

The Planning and Zoning Commission met on September 11, 2014 to discuss amendments to Chapter 14, Article I, Section 14-5 to amend the definitions “family” and “single-family dwelling” in District A. The Commission presents its preliminary report in connection with its findings and asks that it be received, and to proceed with a joint public hearing.

With limited discussion on the matter, Council Member Holden moved to approve Ordinance No. 2014-31, receiving the Planning and Zoning Commission’s Preliminary Report and calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend Chapter 14 Building and Development, Article I. in General, Section 14-5 Definitions, to amend the definitions of “family” and “single-family dwelling” to provide for groups protected by the Fair Housing Act and Texas Community Homes for Disabled Persons Location Act. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2014-31

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING THE PROPOSAL TO AMEND CHAPTER 14 BUILDING AND DEVELOPMENT, ARTICLE I. IN GENERAL, SECTION 14-5 DEFINITIONS, TO AMEND THE DEFINITIONS OF “FAMILY” AND “SINGLE-FAMILY DWELLING” TO PROVIDE FOR GROUPS PROTECTED BY THE FAIR HOUSING ACT AND TEXAS COMMUNITY HOMES FOR DISABLED PERSONS LOCATION ACT.

**I. CLOSE THE REGULAR SESSION**

Mayor Erskine closed the Regular Session at 9:07 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.074 – Personnel Matters.

**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.**

**K. ADJOURN EXECUTIVE SESSION**

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS – September 15, 2014

Mayor Erskine adjourned the Executive Session at 10:30 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session

**L. CONVENE REGULAR SESSION**

**1. Consider setting the City Manager's salary for budget year 2014-2015.**

Having completed the evaluation comments in Executive Session, Council Member Ray moved to increase the base salary of the City Manager for budget year 2014-2015 to \$138,500, increase his car allowance to \$6,600, and continue the deferred compensation as is. Council Member Beckwith seconded the motion. The vote follows:

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

Nays:

The motion carried.

**M. MAYOR AND COUNCIL COMMENTS**

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

- 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.

There were no Council Comments.

**N. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 10:32 p.m.

---

Lorri Coody, City Secretary